

Business License Ordinance

March 13, 2015

Chapter 6.00 GENERAL PROVISIONS

6.00.005 Purpose of business license.

The purpose of the county business license ~~regulations~~ is to provide for necessary regulation of lawful businesses being conducted within the unincorporated area of the county, in the interest of the public health, safety, and welfare of the people of the county.

6.00.010 Deputies.

Whenever, by the provisions of this title, a power is granted to a public officer or a duty imposed upon such officer, the power may be exercised or duty performed by a deputy of the officer or by a person authorized pursuant to law by the officer, unless it is expressly otherwise provided.

6.00.020 Misdemeanor to engage in designated activity without a license.

Every person who engages in, conducts, manages, advertises, or carries on any business, exhibition, occupation, or other activity for which a license is required by this title, without first having procured a license to do so and having paid the fee, if any for such license as provided for in this title, is guilty of a misdemeanor. Each day that such activity continues without a license shall constitute a separate offense.

6.00.030 License required outside of incorporated city.

A license shall be procured before the advertisement, continuance, or ~~the~~ commencement of any business, occupation, exhibition, or activity for which this title requires a license from the tax collector of this county. ~~which~~ The license shall authorize the party obtaining the same to transact the ~~thy~~ business or engage in the activity described in such license for the period named therein in the county, excepting agricultural or vini-cultural products or the products of any stock, dairy, or poultry farm when sold by the producer of such products. ~~;~~ provided, however, ~~Nothing~~ Nothing contained in this title shall be deemed to regulate or impose a license upon any business, exhibition, ~~or~~ occupation, or activity carried on within the boundaries of any incorporated city.

6.00.040 Separate activities.

If a person engages in, conducts, manages, advertises, or ~~carries~~ ysies on at the same time more than one of the natures classes of business regulated by this title, while engaging in ~~listed in Section 6.12.040,~~ conducting, managing, or and carrying on each such nature class of business separately and apart from the others. s, the annual fees charged shall be as follows: ~~classes of business, except that the total~~

~~fees for all annual licenses issued at the same time and to the same person at any one location, other than dance or entertainment licenses which require full fee under items (16) and (43) in the schedule following subsection C of Section 6.12.040 shall be equal to the fee for that class of business requiring the highest license fee plus five dollars each for every other license per year, or three dollars for semi-annual licenses as defined in this title.~~

(a) If the applicant requests a single license to be displayed at a single location, the total fee for all natures covered by the single license issued at the same time and to the same person, at any one location shall be equal to the fee for that nature of business requiring the highest license fee.

(b) If the applicant requests separate licenses for each nature of business conducted, even if each business is conducted or carried on at the same location by the same person, each nature of business that has a separately issued license shall be charged the full annual fee for that nature of business.

6.00.050 Activity confined to location specified.

When a license specifies the location of the activity licensed, the licensee may conduct such activity only at the location specified in the license.

6.00.060 Fictitious business names.

(a) A license may be issued pursuant to this title to a corporation duly authorized to transact business in this state, or to a person operating under a fictitious name who has complied with all of the provisions of Section 17900 et seq. of the California Business and Professions Code. Otherwise, all such licenses shall be issued in the true name of the applicant or applicants.
~~individual or individuals applying therefor.~~

(b) Except as provided in subsection (a) ~~A~~ of this section, no business so licensed may operate under any false or fictitious name.

(c) A license issued to a corporation shall designate such corporation by the exact name that
~~which~~ appears in the articles of incorporation of such corporation.

6.00.070 False statements.

Every person who makes any false statement in any application for a ~~permit or license or~~
identification card under this title, or in any report required by this title, is guilty of a misdemeanor.

6.00.080 Violation—Penalty.

Any person violating any of the provisions of this title or of any regulation imposed pursuant thereto is guilty of a misdemeanor punishable by a fine or imprisonment not to exceed the limits pursuant to Section 25132 of the California Government Code. not exceeding five hundred dollars or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment. Each such person is guilty of a separate offense for every day during any portion of which any violation of any of the provisions of this title or of any such regulation is committed, continued, or permitted by such person, and shall be punished for each separate offense ~~therefor~~ as provided by this title.

6.00.090 True names on reports.

Every person making out any report or record required by the terms of this title or any copy thereof shall sign his or her true name and provide their ~~give the~~ true name and correct address ~~of the licensee.~~

6.00.100 Illegal occupations.

A license granted pursuant to this ordinance does not permit any occupation or activity of any kind that ~~which~~ is prohibited by the ordinance codified in this chapter, or any other ordinance of the County of San Luis Obispo, or by any law or regulation of the State of California. ~~state statute, law, rule, order or regulation.~~

6.00.110 Land use regulations.

The tax collector shall not issue any license to carry on any business at a specific location where such business is inconsistent with the land use regulations of the county contained in the land use ordinances, Titles 22 and 23 of this code.

6.00.120 Interpretation.

~~The provisions of~~ This title shall be interpreted so as to further public health, safety, and welfare. ~~the minimum requirements for the protection of the public convenience, safety, health, and general welfare.~~

Chapter 6.04 DEFINITIONS

6.04.010 Definitions generally.

As used in this title the words and terms in this chapter shall have the meanings ascribed to them, unless from the context a different meaning is clearly apparent.

6.04.020 Activity.

"Activity" includes a business, exhibition, or occupation and also every other activity for which this title requires a license, whether such activity is a business or occupation or neither.

6.04.025 Animal services manager.

"Animal services manager" means the manager of the animal services division of this county or a duly authorized representative.

6.04.030 Board.

"Board" means the board of supervisors of the county.

6.04.040 Business.

"Business" includes every activity for which this ordinance requires a license, whether such activity is a business or occupation or neither.

6.04.050 Canvasser or solicitor.

"Canvasser" or "solicitor" means any person, whether a resident of the county or not, traveling ~~either by foot, wagon, automobile, motor truck,~~ or any other type of conveyance from place to place, from house to house, or from street to street, for the purpose of rendering services immediately or in the future, or for the purpose of taking or attempting to take orders for the sale of goods, wares, ~~and merchandise,~~ or personal property of any nature whatsoever for immediate or future delivery, ~~or for services to be furnished or performed in the future, whether or not such individual has, carries, or exposes for sale a sample of the subject of such sale or whether he is collecting advance payments on such sales or not; provided that this~~ This definition includes any person who, individually, for himself or for another person, ~~firm,~~ or corporation hires, leases, uses, or occupies any building, structure, ~~vehicle, tent, railroad boxcar, boat, hotel room, lodginghouse, apartment, shop,~~ or ~~any~~ other place within the county for the sole purpose of exhibiting samples and taking orders for immediate or future delivery. ~~A canvasser or solicitor, as defined by this section, shall also include any individual traveling, as aforesaid, from place to place or from house to house for the purpose of rendering services or selling goods at private residences.~~ A "canvasser" or "solicitor" also includes any individual who initiates contact in any manner to attend a gathering of any kind, for the purpose of presenting ~~his~~ merchandise, products, or services in the home. ~~For license fees for canvassers or solicitors, see Section 6.12.040(54).~~

6.04.060 County.

"County" means the ~~e~~County of San Luis Obispo.

6.04.070 Distributor.

"Distributor" means a wholesaler or jobber of goods, wares, merchandise, or food products.

6.04.080 Fixed place of business.

"Fixed place of business" means a place of business separate and distinct from any other business regularly kept open by the owner thereof or by ~~his~~ agents or employees at a fixed location.

6.04.090 Health officer.

"Health officer" means the health officer of the county or ~~his~~ duly authorized representative.

6.04.100 Location owner.

"Location owner" means every person not engaged in the business of selling, renting, or placing on consignment or on commission basis mechanical or electronic amusement devices, but who owns, uses, and operates not more than two (2) such mechanical or electronic amusement devices. ~~For license fees, see item (33) (b) in the scheduling following subsection C of Section 6.12.040.~~

6.04.110 Mechanical or electronic amusement device.

"Mechanical or electronic amusement device" means any table, board, machine, computer, or other device, or apparatus fitted for use by ~~the~~ public; ~~the~~ operation of a "mechanical or electronic amusement device" is which is permitted, controlled, allowed or made possible by the deposit or insertion of any coin, or other object, plate, disc, slug, or key into any slot, crevice, or opening or by the payment of any fee ~~or fees~~, and is intended which operates or which may be operated for use as a game, contest, or amusement, or which may be used for any such game, contest, or amusement, but which table, board, machine, device, or apparatus A "Mechanical or electronic amusement device" does not contain a payoff device, and ~~which~~ does not return or vend any article, ~~or merchandise, or any~~ money, coin, check, or token. "Mechanical or electronic amusement device" shall not include phonographs, jukeboxes, or other music machines or devices. ~~For license fees, see item (33) in the schedule following subsection C of Section 6.12.040.~~

6.04.120 Mobile vending unit.

"Mobile vending unit" means any vehicle, which operates from site to site with primary emphasis on transit while dispensing a product or rendering a service on a stop-on-demand basis only and whose

use is incidental to the land use and underlying zone. The vending unit shall be dispatched from a site, which is in conformance with county subdivision and zoning ordinances.

6.04.130 Operator.

"Operator" means any person engaged in the business of selling, renting, or placing on consignment or on commission basis mechanical or electronic amusement devices in various locations within the county, and every person who owns, uses, and operates more than two (2) mechanical or electronic amusement devices. ~~For license fees, see Section 6.12.040(33) (a).~~

6.04.140 Person or party.

"Person" or "party" means and includes an individual, firm, association, ~~or~~ corporation, cooperative, or non-cooperative, carrying on the business for which a license must first be procured; ~~and w~~hen the terms used in this section designate the principal, the same means and includes the clerk, agents, ~~servants,~~ representatives, and employees of such principals, ~~it being t~~he intent of this title is to license the business and not separate or individual acts or activities, which constitute integral or related parts of the business, except as otherwise provided in this title.

6.04.145 Planning and building director.

"Planning and building director" means the director of the department of planning and building of this county or a duly authorized representative.

6.04.150 Public billiard room.

"Public billiard room" means any place open to the public where billiards, bagatelle, or pool is played or in which any billiard, bagatelle, or pool table is kept and persons are permitted to play or do play thereon, whether any compensation or reward is charged for the use of such table or not.

6.04.152 Public works director.

"Public works director" means the director of the public works department of this county or a duly authorized representative.

6.04.155 Risk management.

"Risk management" means the insurance and liability analyst for the risk management division of this county.

6.04.158 Sheriff.

"Sheriff" means the sheriff of this county or a duly authorized representative.

6.04.160 Tax collector.

"Tax collector" means the tax collector of the county or a duly authorized representative.

6.04.170 Transient merchants, itinerant merchants, and itinerant vendors.

"Transient merchants," "itinerant merchants," and "itinerant vendors" mean any person, whether as owner, agent, consignee, consignee, or employee, whether or not such person is a resident of the county ~~or not~~, who engages in a business of selling and delivering goods, wares, and merchandise within the county; who, in furtherance of such purposes, temporarily hires, leases, uses, or occupies any type of room, building, structure, ~~motor vehicle, tent, railroad boxcar, or boat, public room in motels, lodgings, apartments, shops, or any~~ street, alley, or other place within the county for the exhibition and sale of such goods, wares, and merchandise, either privately or at public auction. ~~For license fees, see item (54) in the schedule following subsection C of Section 6.12.040.~~

6.04.180 Vending machine.

"Vending machine" means a mechanical apparatus so operated as to sell or deliver merchandise only the equivalent in marketing value to the face value of the monies coin or coins deposited.

6.04.190 Zoning ordinance.

"Zoning ordinance" means Title ~~s~~ 22 and 23 of this code.

Chapter 6.08 LICENSING PROCEDURES

6.08.000 Form of application.

(a) Every application for a license required by this title ~~shall be signed by the applicant and~~ shall contain the following:

(1) The name and mailing address of the applicant; ~~if the applicant is a corporation, the name shall be exactly as set forth in its articles of incorporation; if the applicant is a partnership, the name and address of each general partner shall be stated; if one or more of the partners is a corporation, the provisions of this section as to a corporate applicant apply;~~

(2) The names of all other persons having an interest in the enterprise;

(32) If the applicant is a corporation, the name and mailing address of an officer who is duly authorized to accept the service of legal process;

~~(3) The applicant's social security number if an individual or the corporate number if the applicant is a corporation;~~

~~(4) The driver's license number if the applicant is an individual;~~

~~(45)~~ The telephone number of the applicant;

(5) The email address of the applicant;

(6) The name under which the applicant will be doing business;

(7) The nature of the business;

(8) The exact location of the business or the route or territory to be covered if no fixed place of business;

(9) The residence of the applicant or, if a corporation, the principal place of business;

~~(10) The name and address of the owner of the premises;~~

~~(11) The name and address of the lessee of the premises;~~

~~(12) The term for which such license is applied;~~

~~(1043)~~ The amount of the license fee; and:-

(11) A statement that the applicant will not permit or allow violations to any law or ordinance on the premises for which the license is applied.

(b) All applications shall be signed or electronically signed by the applicant prior to the license being issued.

6.08.006 Grounds for denial of a business license.

(a) Application for a business license must be made to the ~~county~~-tax collector, before commencement of any business in the unincorporated area of the county. The tax collector may not issue deny a business license to an applicant if the regulating department or the board therefor when the tax collector makes any of the following determinations:

(1) ~~Upon The regulating department has recommended denial of a particular business license to a particular applicant, based upon~~ review and investigation of the application and the applicant by the regulating investigating department, the facts and based upon facts known to the investigating department which indicate that the applicant should not be granted the business license due to:

~~(Aa) Illegality of the business activity; illegality, or~~

~~(Bb) Unfitness~~ unfitness of the applicant to carry on the business applied for; ~~or~~

(Ce) Nonconformity of the proposed premises or location with Title 22 or 23 of this code; or

~~(D) Unfitness of unfitness of proposed premises or equipment of the business for the activities of the business.;~~

~~(2) The Where the applicant has made a false statement on a material matter in the application form filled out applying for the business license.;~~ ~~or~~

~~(3) The Where the applicant has omitted material information on in filling out the application for the business license.~~

~~(b) For purposes of this section, an “unfit” applicant includes, but is not limited to, any applicant who, upon review of the application by the sheriff is found to constitute a substantial risk to the public health, safety, and welfare if a business license is issued to the applicant.~~

~~(c) An applicant aggrieved by the determination of the regulating department, or departments, with regard to a recommendation for denial of a business license may request a review by the tax collector. The request is made by filing a request for reconsideration with the tax collector pursuant to Section 6.08.170 of this title.~~

6.08.010 Exemptions.

Subject to the limitations in Section 6.08.015 of this code, no ~~No~~ license shall be required hereunder by the following:

~~(4a)~~ Any juvenile operating a delivery route for newspapers or any juvenile under the age of eighteen ~~(18)~~ years who has a valid work permit issued by authorized school authorities.;

~~(2b)~~ Activities that are otherwise exclusively regulated by state or federal law, or other titles under this code, unless the state, federal, or county ordinance expressly gives the licensing authority the right to require a business license. ~~Such other activities as are preempted by state statute;~~

~~(3c)~~ Any person or party having a lease or concession from the county to operate on land owned or operated by the county, or any person or party having a lease or concession to operate on land owned or operated by any public entity.

(d) Persons engaged in a business for the sole use and benefit of charities, religious or educational societies, or other organizations that are exempt from taxation under the constitution and law of this state, including:

(1) Nonprofit organizations as defined by California Revenue and Taxation Code Section 23701;

(2) Religious organizations;

(3) Organizations chartered under federal law for the purpose of soliciting donations for veterans.

(e) “Café musician,” as defined in Section 16100.5 of the California Business and Professions Code.

(f) Any commercial traveler whose business is limited to goods, wares, and merchandise sold or dealt in at wholesale in the State of California.

(g) All public utilities possessing an active (unexpired) franchise.

(h) Transportation companies, except taxicabs.

(i) Any person or party conducting a fund-raiser for a political campaign.

(j) Any business engaged in the selling of agricultural products, vini-cultural products or the products of any livestock operation, when such business or farm complies with the provisions of Title 22 or 23 of this code, and when such products are sold by their producer.

(k) Any activity commenced or continued, for which the primary purpose is a sport, hobby, personal entertainment, or recreation, without the purpose, objective, or intention of making a profit.

(l) Businesses providing services and holding a license or permit from an incorporated city within this county.

6.08.015 Exemptions limitation.

Nothing in Section 6.08.010 of this title exempts any business owner from complying with land use ordinances contained in Title 22 or 23 of this code or federal and state law, or from obtaining approval from any applicable regulating departments, required by this or any other title in this code.

6.08.020 Exemptions from payment of license fee.

~~No license fee shall be payable hereunder by the following:~~

~~(1) Persons specifically exempt from license fees charged under Section 16100 et. seq. of the Business and Professions Code of the State of California shall not be required to pay a fee for a license under this code.~~

~~(2) Persons engaged in a business for the sole use and benefit of charities, religious, or educational societies or organizations are exempt from taxation under the constitution and laws of the state.~~

~~(3) All public utilities possessing an active (unexpired) franchise shall not be subject to the provisions of this title.~~

~~(4) Transportation companies. (Excluding Taxicabs).~~

6.08.030 Issuance period.

Unless otherwise specifically provided, all license periods are as follows:

(1) The period of all annual licenses shall begin on the date that the license is issued and shall expire one year later. ~~first day of the month in which the license is issued and shall expire on the last day of the month in which the license is issued, one year from the date of issuance.~~ No license shall be granted or issued for a period longer than one year from the date ~~month~~ of issuance.

(2) ~~Exceptions to this general rule are as follows:~~

~~(A) All businesses Businesses for which a daily permit is required shall only be valid for the dates stated on the issued license, in which case the license shall not be issued for a one-year period, but instead shall state the days covered by the issued license.~~

~~(B) Licenses for sale of fireworks shall be issued from twelve noon on June 28th to twelve noon on July 6th. See item 23 in the Schedule of Fees in Section 6.12.040 and Chapter 6.32~~

~~(3) Businesses that are dependent on the issuance of a permit from a regulatory department shall have a license issued only for as long as that permit is active and has not expired.~~

6.08.040 Posting or display.

Every person, firm, association, or corporation having a license under the provisions of this title and carrying on a business, exhibition, ~~or occupation,~~ or activity at a fixed place of business shall keep such license posted and exhibited, while in force, in some conspicuous part of the place of business. Every person having such a license and not having a fixed place of business shall carry the license ~~with him~~ at all times while carrying on the business, exhibition, occupation, or activity for which the same was granted. ~~Whenever a license sticker is required, such sticker shall be affixed to the vehicle, device, or machine, etc., so as to be clearly visible.~~

6.08.050 Producing on demand.

Every person, firm, association, or corporation having a license under the provisions of this title shall produce and exhibit the same whenever requested to do so by any peace officer or officer authorized to issue and inspect licenses or collect the license fees ~~therefor~~. In addition, all solicitors and canvassers including their agents or employees are required to exhibit their licenses and identification cards or permits, as the case may be, at the request of any person.

6.08.051 Referral of application by tax collector.

(a) Upon receiving an application for a business license, the tax collector shall initiate a review of said application by such other county departments as may have regulatory responsibilities with regard to the business described in the application. The applicant and/or the application may be directed to ~~hand-carry the application form, or copies thereof, to~~ the departments specified by the tax collector, and, upon receiving ~~written dated~~ approval from the departments, ~~return the said application form to~~ the tax collector may issue to the applicant a business license. for issuance of the business license.

(b) Each department shall issue to the applicant a dated receipt showing the date the application has been received by said department for review.

(c) Thereafter, said department shall be responsible to complete its review and make its recommendation to the tax collector within ten (10) days of said receipt, or within such additional time, not to exceed sixty (60) days, as the tax collector may allow to such department upon a request made by the said department within the original ten (10) -day period, except that applications which are referred to the ~~county~~ sheriff as regulating department shall ~~automatically~~ have thirty (30) a maximum of ninety days after receipt to respond without any request to the tax collector.

(d) In the absence of any response from a department within the time limit specified herein, the tax collector, upon presentation of the receipt by the applicant showing the time limit to have been exceeded and showing proof of compliance with Title 22 ~~or and~~ Title 23 of this code, must assume a favorable response by said ~~receipting~~ department, and proceed with the processing of the license application accordingly.

(ee) In an extraordinary case, for good cause shown, the tax collector may allow any department more time than is stated in this section to complete its review and recommendation to the tax collector.

6.08.051.1 Prerequisite to issuance of business ~~certain~~ licenses.

Prior to issuance of a business license by the tax collector, license applications for the following business categories shall be submitted to the specified regulatory departments for their review:

(a) The application to carry on any business in the county shall be first submitted to the county planning and building director for approval or denial pursuant to Title 22 or Title 23 of this code ~~planning department for its comments or recommendations~~ before a business license may be issued by the tax collector. ~~application may be filed.~~ No license shall be issued to carry on any

business at a specific location where the business location or structure ~~such~~ would be in violation of Title 22 ~~or and~~ Title 23 of ~~this the county~~ code.

(b) The application for a business license must be presented to the sheriff for review and recommendations in relation to the following businesses as a prerequisite to the issuance of a license:

1. Amusement parlor or similar activity;
2. Body art establishments;
3. Card games and tables;
4. Massage establishments and massage technicians not exempted by state law;
5. Mobile ice cream vendors;
6. Roadhouse, tavern, bar and/or night clubs, and/or any establishments in which the primary intention is to serve or provide alcoholic beverages;
7. Sale of firearms;
8. Solicitors and canvassers;
9. Taxicabs;
10. Transient merchants, itinerant merchants, and itinerant vendors;

(c) The application for a business license must be presented to the health officer, and the applicant must obtain a health permit, in relation to the following businesses, as a prerequisite to the issuance of a license:

1. Body art establishments;
2. Collecting and disposal of all types of waste;
3. Food or food products;
4. Swimming pools and spas: All business types for which there will be public access to a swimming pool, spa, or hot tub;

(d) Card games and card tables: All license applications for any business involving card tables or card games shall be submitted to the county board for their approval before a license may be issued;

(e) Businesses that encroach on the public right-of-way: Any application to carry on a business which encroaches or impairs access on any public right-of-way shall be submitted to the public works director for comments or recommendations before a license may be issued. In accordance with Title 13, of this code, an application to carry on a business which encroaches or impairs access on any right-of-way of a county maintained road shall also secure an encroachment permit from the public works department before a license may be issued.

(f) Fireworks: Except as provided herein at Chapter 6.32, the sale of fireworks is prohibited in the unincorporated areas of San Luis Obispo County. Applications for a business license for the public display of fireworks shall be submitted to the chief of the applicable fire district or to the Cal Fire/San Luis Obispo County Fire Department for their findings and recommendations, and shall also be submitted to the county board for their approval before a license may be issued;

(g) Animal services: Any activity subject to the permitting requirements established by Section 9.2 of the county code shall secure such a permit from the animal services manager prior to the issuance of a business license.

6.08.052 Tax collector review of departmental responses.

Upon receiving a response from a department to which the tax collector has referred an application, recommending denial of a particular application, or else recommending conditions to be placed upon the granting of the subject application, the tax collector must weigh and consider the recommendations of the department before making ~~a his~~ decision on the subject license application.

The tax collector is empowered to deny applications based upon the recommendation of a department to whom the application has been referred, supported by factual matter, which justifies denial, ~~and the tax collector is empowered to condition the issuance of a particular license upon conditions, which ensure compliance with all applicable federal, state, and local laws and regulations pertaining to health and safety, which are related to the carrying on of the particular business by the particular applicant in the interests of the public health, safety and welfare of the people of the county.~~

No application shall be denied without having given the applicant notice of the right to request reconsideration before the tax collector, or a hearing officer appointed by the tax collector, as described in section 6.08.170.

6.08.053 Revocation/suspension of issued license.

~~The tax collector is authorized to revoke any issued business license whenever he receives information which would be sufficient grounds to deny a license, as per Section 6.08.006. The license holder must be informed in writing of the tax collector's intention to revoke the business license at least ten days in advance of the proposed effective date of revocation, during which time the holder of the license may contest the proposed revocation before the tax collector. If the tax collector finds that there is immediate danger to the public health, safety or welfare, he may issue an immediate suspension of the business license before the final revocation date. The tax collector shall take appropriate steps to immediately notify the license holder of the suspension and the necessity of discontinuing the business until the suspension is lifted.~~

6.08.055 Board hearing prior to issuance of certain licenses.

Prior to issuance of a business license for card games, card tables, or the display of fireworks, the license application and departmental recommendations must be submitted to the board and a hearing must be conducted. The process for a hearing before the board on applications for licenses shall be:

- (1) Upon the completion of review by all appropriate departments per this chapter, the tax collector shall within fifteen (15) days file with the clerk of the board a request for hearing by the board.
- (2) Upon receipt of the request for hearing, the clerk shall promptly schedule a time and place for a hearing before the board, and give the applicant, by certified mail, at least seven (7) days notice of the date and place of the hearing;
- (3) The clerk shall also give the tax collector and the appropriate regulating departments at least seven (7) days notice of the date and place of the hearing. Notice to the tax collector may be served by United States Postal Service, by independent mailing service, by interoffice messenger, or by electronic service.
- (4) The determination of the board on application pursuant to this chapter shall be final.
- (5) At the conclusion of the hearing, the board shall make findings supporting its decision whether the license in question should be issued, issued with conditions, or denied.

6.08.060 Contents of issued license.

(a) Every business license issued shall state:

- (1) the name of the person, firm, association, or corporation to which it is issued,
- (2) the kind of business for which the license is issued,
- (3) the location of the business,
- (4) the date of its issuance,
- (5) the period of time for which it is issued,
- (6) the license fee received, and
- (7) the expiration date.

(b) Each license issued shall also state any special restrictions or conditions that may limit the business activities, which may be conducted.

(c) The issued license shall be sealed by the tax collector.

~~Each license issued shall state the name of the person to whom, the kind of business, and the location for which the same is issued; the date of its issuance, the period for which issued, and the license fee received therefor together with the date of its expiration. Each license issued shall also state any special restrictions or conditions limiting the business. It shall be signed by the tax collector.~~

6.08.090 Renewal of license.

(a) Except as otherwise provided in this title, chapter, every licensee who has obtained a license pursuant to the provisions of this title may obtain from the tax collector a renewal of such license. The board, the sheriff, the tax collector, the health officer department, the public works director, or the planning and building director department may recommend that the tax collector issue file a written notice for the denial of renewal of such license if they receive information, which would have been sufficient grounds to have denied the license, as per Section 6.08.006 of this title.

(b) If a notice for denial is issued the licensee may file a request for hearing with the tax collector and appeal the denial pursuant to Section 6.08.170 et. seq. of this title.

(c) If a health department permit is required for the enterprise, and the permit is not renewed, it is the responsibility of the health officer to request that the business license not be renewed, or be revoked if previously renewed. said permit must be completed and submitted prior to or at the time of license renewal. Renewal of a license for a solicitor shall not be issued until the sheriff's department approves said renewal.

6.08.100 Revocation of license.

~~(a) All licenses issued under the provisions of this title shall be issued to and accepted by all parties receiving the same with the express understanding that the board of supervisors may revoke such licenses at any time if they determine that any of the restrictions of the license or the terms and conditions hereof have been violated, or that the use of land or activity conducted pursuant to the license violates any applicable provisions of Title 22 of this code, or that such license was obtained by fraudulent representations, or that the holder of such license is an unfit person to be trusted with the privileges granted by such license; provided, however, that no license shall be revoked without first having given the licensee an opportunity to appear before and be heard by the board on his own behalf. Pending such hearing and decision, the board or the tax collector may suspend such license for not more than sixty days based upon written complaint submitted to the tax collector by the planning director, health officer, sheriff, the board, or any member thereof.~~

~~(b) Notice of such hearing shall be given by the board to such party by citation at least five days prior to the date of such hearing. The time and place of such hearing shall be fixed by board order and specified in such citation.~~

~~(c) The board shall hold a hearing as provided in this chapter and, as indicated by the evidence received at such hearing, shall revoke such license or terminate the suspension and restore the license.~~

~~(d) Upon the revocation of a license as provided in this section, no part of the license fee paid therefor shall be returned; but such license fee shall be forfeited to the county.~~

~~(e) Whenever a license is revoked, the licensee shall render to the tax collector any license, license stickers, or similar evidence of a license which has been revoked.~~

~~(f) No other or further license shall be issued to the person or party whose license has been so revoked within six months from the date of such revocation.~~

~~(g) If the board imposes or changes restrictions or conditions on a business license in lieu of revoking the license, and if a licensee applies in writing to the board for a change in those~~

~~restrictions to which his license is subject, the board may grant such application in whole or in part, or may deny such application based upon the facts found by such body.~~

~~6.08.110 Appeal.~~

~~Any person aggrieved by the action of the tax collector with regard to any decision made in ruling upon an application for a business license, or the renewal of same, shall have the right of appeal to the board. Such appeal shall be taken by filing with the tax collector, within fourteen days after the date of notification of the decision of the tax collector, a written statement setting forth the grounds for the appeal. The tax collector shall promptly schedule a time and place for a hearing on the appeal, and give the appellant at least seven days notice of the date and place of the hearing by certified mail.~~

6.08.120 Keeping insurance and special requirements, ~~undertaking, etc.~~ in force and effect.

Whenever this title requires the applicant for any license to procure, post, or maintain in effect any bond, undertaking, deposit, surety, or policy of insurance, any license ~~so~~ issued on that condition is valid only when such bond, undertaking, deposit, surety, or policy of insurance is in full force and effect. Such license shall be automatically suspended without notice if at any time such bond, undertaking, deposit, surety, or policy of insurance is not in full force and effect. If a new bond, undertaking, deposit, surety, or policy of insurance acceptable to the tax collector board is filed before the cancellation or expiration date, then of the old policy, etc., becomes effective, than the license will continue in force.

6.08.130 Duplicate licenses.

A duplicate license may be issued by the tax collector to replace any license previously issued under this title which has been lost or destroyed, upon the licensee filing a signed an affidavit with the tax collector ~~attesting to such fact~~ and paying the required fee. sum of one dollar for the cost thereof.

6.08.140 Transfer of license.

~~(a)A.~~ The licensee, ~~upon payment of a fee of two dollars,~~ may transfer a previously issued business ~~his~~ license ~~to do business~~ to another site upon application to the tax collector, if such application is approved by the departments which regulate the business.

~~(b)B.~~ No license issued pursuant to this title may be transferred from one person to another person.

~~(c)C.~~ If a license is issued to a partnership and the partnership is changed by the addition or deletion of partners, the license may be transferred to the new partnership, upon application to the tax collector, if any of the original partners remain in the new partnership, and if such application is approved by the departments which regulate the business. if the new partnership makes application for such transfer in the same manner as for the new license and pays to the license collector a transfer fee of two dollars.

~~6.08.150 Prerequisite to issuance of certain licenses.~~

~~A. The application for a business license must be presented to the sheriff for his findings and recommendations in relation to the following businesses as a prerequisite to the issuance of a license:~~

- ~~1. Carnival;~~
- ~~2. Circus or menagerie;~~
- ~~3. Money lending or pawnbroker;~~
- ~~4. Rodeo;~~
- ~~5. Shooting match or turkey shoot;~~
- ~~6. Tent show;~~
- ~~7. Trained animal show;~~
- ~~8. Sale of firearms;~~
- ~~9. Mobile ice cream vendor;~~
- ~~10. Junk and salvage;~~
- ~~11. Amusement parlor, penny arcade, or playland;~~
- ~~12. Private patrol service;~~
- ~~13. Locksmiths;~~
- ~~14. Photographers;~~
- ~~15. Roadhouse and/or night club and/or dine and dance where food, alcoholic beverages, and dance are provided;~~
- ~~16. Card games and tables;~~
- ~~17. All solicitors;~~
- ~~18. Outdoor festivals;~~
- ~~19. Billiard rooms;~~
- ~~20. Taxicabs.~~

~~B. The application to carry on any business in the county shall be submitted to the county planning department for its comments or recommendations before a license may be issued. No license shall be issued to carry on any business at a specific location where such would be in violation of Title 22~~

~~C. Food or Food Products. Every person, firm, association, or corporation engaged in the business of conducting any establishment handling food or food products must have a permit from the health department. The license application must be signed by the health department before a license may be issued.~~

~~D. Collecting and Disposal of All Types of Waste. Every person, firm, or corporation engaged in the business of conducting any type of waste disposal or collection must have a permit from the health department. The application must be signed by the health department before a license may be issued.~~

~~E. Sidewalk Businesses. Any application to carry on a business which encroaches on a public sidewalk shall be submitted to the county engineering department for its comments or recommendations before a license may be issued.~~

~~F. Card Games, Card Tables, or Fireworks. Any application for a business license for the sale or display of fireworks shall be submitted to the chief of the applicable fire district or to the division of forestry for their findings and recommendations before a license may be issued. Any application for the sale or display of fireworks or for a business involving card tables or card games shall be submitted to the county board of supervisors for their approval before a license may be issued.~~

6.08.155 Revocation and/or suspension of issued license.

(a) The tax collector is authorized to revoke any issued business license whenever information is submitted which would be sufficient grounds to deny a license, as per Section 6.08.006.

(b) The tax collector is also authorized to revoke any issued business license whenever an establishment required to remit Transient Occupancy Tax to the county refuses or fails to make timely remittance of the tax, or violates any of the provisions of Chapter 3.08 of this ordinance. If a notice of revocation is mailed due to refusal or failure to pay Transient Occupancy Tax, an immediate suspension of the business license may be issued before the final revocation date.

(c) If the tax collector finds that there is immediate danger to the public health, safety, or welfare, an immediate suspension of the business license may be issued before the final revocation date.

(d) The license holder must be informed in writing of the tax collector's intention to revoke the business license at least fifteen (15) days in advance of the proposed effective date of revocation. The license holder may request a reconsideration of the proposed revocation before the tax collector per Section 6.08.170. The notice may be served personally or by mail, and shall notify the licensee of the need to discontinue doing business during the time of suspension or revocation.

(e) Upon issuance of written notice of revocation, the license shall be considered revoked, with no further action necessary.

(f) No other business license shall be issued to the person or business entity whose license has been revoked within six months from the date of the revocation.

6.08.160 Approval by agency.

~~A. Approval of the business license shall be made within ten business days of the date of submission to the particular agency. If specific approval is not granted, approval by said agency is deemed implied, and the applicant may obtain issuance for said license from the tax collector.~~

~~B. An extension of time within which to approve the application, not to exceed thirty calendar days, may be granted by the tax collector to the reviewing agency.~~

6.08.170 Reconsideration by the tax collector.

(a) With the exception of applicants for business licenses for card games, card tables, and fireworks displays, any applicant aggrieved by the action of the tax collector with regard to issuing, renewal, suspension, or revocation of the license, shall have the right to request a reconsideration hearing before the tax collector.

(b) Upon receiving a request for reconsideration, the tax collector shall promptly schedule a time and place for a hearing, and shall give the applicant or licensee, by certified mail, at least seven (7) days notice of the date and place of the hearing.

(c) Where the tax collector has taken adverse action against a licensee or applicant based on the recommendation of another regulating department, the tax collector shall provide prompt notice to the appropriate regulating departments, such notice being given at least seven (7) days prior to the date of the hearing. The notice will state the date and place for the hearing. The notice may be served on the regulating departments by United States Postal Service, by independent mailing service, by interoffice messenger, or by electronic service.

(d) At the reconsideration hearing before the tax collector, the applicant or licensee and the regulating department, if any, or their authorized representative, may present such facts and evidence, and written or oral arguments as is necessary and appropriate to address the grounds on which the business license was denied, suspended, revoked, refused renewal, or had changed conditions imposed upon it.

(e) The tax collector shall hold a hearing and, as indicated by the evidence received at the hearing, shall deny the application, revoke the business license, impose conditions on the license continuing to remain in effect, or terminate the suspension and restore the license.

(f) The tax collector shall create a policy of selecting hearing officers consistent with the applicant's right to due process. The tax collector is authorized under this policy to delegate the function of reconsideration hearings to administrative hearing officers under contract or employees of other county departments. Such a policy shall be approved by the tax collector and by the Chief Administrative Officer of the County, or their designees.

(g) The applicant shall have the right to counsel, to compel attendance of witnesses, to confront and cross-examine witnesses, and to present evidence to the extent necessary to comport with administrative due process.

(h) The reconsideration hearing shall not be governed by the formal rules of evidence. Evidence rules shall be consistent with those normally applicable in administrative hearings, including such rules allowing the use of hearsay in administrative hearings.

(i) The hearing shall either be recorded, or a shorthand reporter shall transcribe the proceedings, at the tax collector's discretion. The applicant may, at the applicant's expense, elect to have a shorthand

reporter attend the hearing and transcribe the hearing, as long as the tax collector is satisfied as to the reporter's neutrality and independence.

(j) The hearing officer shall notify the tax collector, the applicant, and any applicable regulating department within fourteen (14) days of the hearing's submission.

6.08.180 Appeal of denial or revocation of business license to the board.

(a) With the exception of applicants for business licenses for card games, card tables, and fireworks displays, any applicant or business license holder aggrieved by the action of the tax collector with regard to any decision made in ruling upon a reconsideration hearing pursuant to Section 6.08.170, may request an appeal hearing before the board. Such appeal will be limited to the record as presented at the hearing before the tax collector. No new evidence may be presented at an appeal before the board.

(b) The process for appeal to the board shall be:

(1) Appeal shall be taken by filing with clerk of the board, within fifteen (15) days after the date on which notification of the decision of the tax collector is issued pursuant to Section 6.08.170 of this code, a request for appeal to the board. Such notification shall be on a form approved by the tax collector, and will be available either on the tax collector's website or will be served along with the notice of adverse action or the decision on an appeal to the tax collector, as appropriate;

(2) Upon receipt of the request for appeal, the clerk shall promptly schedule a time and place for a hearing before the board, and give the appellant, by certified mail, at least seven (7) days notice of the date and place of the hearing;

(3) The clerk shall also give the tax collector and the appropriate regulating departments at least seven (7) days notice of the date and place of the hearing. Notice to the tax collector may be served by United States Postal Service, by independent mailing service, by interoffice messenger, or by electronic service.

(4) The determination of the board on appeal pursuant to this chapter shall be final.

(5) At the conclusion of the hearing on appeal, the board shall make findings supporting its decision whether the license in question should be issued, reinstated, or revoked, or whether conditions should be imposed on the license in lieu of denial, revocation, or suspension.

6.08.190 Appeal directly to the board.

(a) Appeals involving card games, card tables, or the display of fireworks shall be made directly to the board, without a prior hearing before the tax collector.

(b) The process for appeal from an adverse action to the board shall be:

(1) Appeal shall be taken by filing with clerk of the board, within fifteen (15) days after the date on which notification of the decision of the board is issued pursuant to this code, a request for appeal to the board. Such notification shall be on a form approved by the tax collector, and will be available either on the tax collector's website or will be served along with the notice of adverse action, as appropriate;

(2) Upon receipt of the request for appeal, the clerk shall promptly schedule a time and place for a hearing before the board, and give the appellant, by certified mail, at least seven (7) days notice of the date and place of the hearing;

(3) The clerk shall also give the tax collector and the appropriate regulating departments at least seven (7) days notice of the date and place of the hearing. Notice to the tax collector may be served by United States Postal Service, by independent mailing service, by interoffice messenger, or by electronic service.

(4) The determination of the board on appeal pursuant to this chapter shall be final.

(5) At the conclusion of the hearing on appeal, the board shall make findings supporting its decision whether the adverse action should be affirmed, reversed, or modified.

6.08.200 Deadlines for seeking relief.

Any person seeking relief pursuant to Section 6.08.052, 6.08.170, 6.08.180, or 6.08.190 must do so by making such a request on a form approved by the tax collector and by filing the request in the manner dictated by the tax collector within fifteen (15) days of the tax collector mailing notice of the decision from which relief is sought.

Chapter 6.12 LICENSE FEES

6.12.010 Rates fixed and established.

The rates of license fees for the business, exhibitions, occupations, and activities referred to and named in this title are fixed and established; and the rate shall be paid by the person, firm, association, or corporation engaged in or carrying on the same in the county.

6.12.020 Payable in advance.

All license fees provided for in this title shall be due and payable in advance at the office of the ~~county~~ tax collector.

6.12.030 Penalties for late payment.

All license fees as required by this title are due and payable upon the first business day after the date of expiration. Any licensee is permitted a thirty (30)-day grace period thereafter to submit said payment. Subsequent to the grace period, a penalty of fifty percent (50%) of the license fee shall be added for renewal. If the entire license fee, with the addition of penalties, is not submitted within sixty (60) days after the expiration of the grace period, the tax collector shall automatically suspend ~~the thy~~ license. If the licensee desires to continue business, a request to reinstate the license, subject to the review of the appropriate departments, must be made to the tax collector's office no more than one hundred eighty (180) days after the expiration date of the license. If a request to reinstate is not made the license will automatically be revoked, and a new license application must be made to the tax collector's office as set forth in Section 6.08 et seq. of this title. he must complete a new business license application subject to the review of the appropriate county departments and pay the license fee and penalty.

6.12.040 Fees. ~~Schedule of fees.~~

(a) Every person, firm, association, or corporation filing an application to conduct or carry on a business of any kind anywhere in the unincorporated areas of the county, which is not otherwise exempt under Section 6.08.010 of this title, may be required to pay a fee at the time of application. The application fee shall be established by board resolution or ordinance.

(b)A. Every person, firm, association, or corporation conducting or carrying on a business of any kind or description anywhere in the unincorporated areas of the county, outside the municipalities therein, a license for which is not otherwise exempt under Section 6.08.010 of this title, provided for in this title or in any other ordinance of the county, and who maintains a fixed place of business in the county, shall obtain a general business license and shall pay an annual fee, which is established by board resolution or ordinance. of eight dollars therefor.

(c) Businesses requiring a special license type may be subject to additional fees as established by board resolution or ordinance.

~~B. Every person, firm, association, or corporation conducting or carrying on a business of any kind or description anywhere in the county outside of the municipalities therein, a license for which is not otherwise provided for in this title or in any other ordinance of the county, and who does not maintain a fixed place of business in the county shall obtain a general business license, and shall pay a semiannual fee of fifty dollars therefor.~~

~~C. Every person maintaining a fixed place of business in any of the incorporated cities of the county who does business in the unincorporated territory of the county, shall pay thy same~~

license fee as though his fixed place of business were established in the unincorporated territory of the county.

Abbreviations as Used in the Following Schedule

Regulating Departments

B = board of supervisors

F = fire department or division of forestry

H = health department

P = Planning department

S = sheriff's department

T = tax collector

Type

FPB = fixed place of business

No FPB = no fixed place of business

R = resident

NR = nonresident

(If blank, may be any type)

SCHEDULE OF FEES

Class of Business	Regulating Departments	Type	License Fee	Period	Due Date
GENERAL LICENSES:					
1. General license with fixed place of business in county	P, T*	FPB	\$8.00	Annual	January or July
2. General license with no fixed place of business in county (non-resident)	P, T*	No FPB	50.00	Semi-annual	January and July
SPECIFIC LICENSES					
1. Ambulance	P, T		8.00	Annual	January or July
2. Amusement parlor, penny arcade or playland (see Section 6.08.150(A))	P, S, T	FPB	25.00	Annual	January or July
3. Animal fee lot	H, P, T		8.00	Annual	January
4. Arts and crafts	P, T		8.00	Annual	January or July
5. Auction and auctioneer (see	P, T		10.00	Daily	

Section 6.28.010)					
6. Auction store, sales yard and/or flea market (see Section 6.28.100)	P, T		25.00	Annual	January or July
7. Bars or taverns	H, P, T		8.00	Annual	January
8. Bathhouse	H, P, T		8.00	Annual	January
9. Beauty parlor and/or manicurist and/or barbershop	P, T		8.00	Annual	January or July
10. Billiard rooms	P, S, T	FPB	25.00	Annual	January or July
11. Brokerage (buying or selling personal property)	P, T		8.00	Annual	January or July
12. Card games or card tables for hire (see Chapter 6.36) (each table)	B, P, S, T		300.00 each table	Annual	January or July
13. Carnival (see Section 6.08.150(A))	H, P, S, T		25.00	Daily	
14. Chemical toilets	H, P, T		8.00	Annual	January
15. Circus or menageries (see Section 6.08.150(A))	H, P, S, T		25.00	Daily	
16. Dances and/or live entertainment (see Section 6.08.150(A))	S, P, T		10.00 25.00	Daily Annual	January or July
17. Dry cleaners	P, T		8.00	Annual	January or July
* Also any other regulating department that the tax collector deems necessary.					
18. Firearms (concealable, see Section 12701, Penal Code)	S, P, T		8.00	Annual	January or July
19. Fireworks	B, F, P, S, T		25.00	12	June

(see Chapter 6.32)				Neon on 6-28 to 12 Noon on 7-6	
20. Food market	H, P, T		8.00	Annual	January
21. Food sale or distribution	H, P, T	No FPB	25.00	Annual	January
22. Games of skill (prizes awarded)	P, T		50.00	Annual	January or July
23. Garage	P, T		8.00	Annual	January or July
24. Gift shop	P, T		8.00	Annual	January or July
25. Go-kart track	P, T		25.00	Annual	January or July
26. Gunsmith	P, S, T		8.00	Annual	January or July
27. Junk or salvage (non-resident) (no FPB) (see Section 6.08.150(A)) (for garbage or refuse see Chapter 8.12)	P, S, T	No FPB	25.00	Semi-Annual	January and July
28. Junk or salvage (resident or non-resident), FPB	P, S, T	FPB R or NR	25.00	Annual	January or July
29. Junk or salvage (resident), no FPB	P, S, T	No FPB R	25.00	Annual	January or July
30. Kennel	H, P, T		25.00	Annual	January or July
31. Laundromat	P, T		8.00	Annual	January or July
32. Locksmith	P, S, T		8.00	Annual	January or July
33. Mechanical amusement devices	P, T		50.00	Semi-Annual	January and July
(a) Operator	P, T		2.00	Semi-Annual	January
(1) Each machine or	P, T		None	Semi-Annual	January

device (sticker)			2.00	Semi-Annual	and July
(b) Location owner					January and July
(1) Each machine or device (sticker)					
34. Mobile business	H, P, T	R	8.00	Annual	January
(a) Food-related business	P, T	NR	25.00	Annual	January
(b) Nonfood-related business	* H, P, S, T	R	8.00	Annual	January or July
(c) Each vehicle (sticker)		NR	50.00	Semi-Annual	January if (a)
(d) Ice cream vendor		R	1.00	Annual	Jan. or July if (b)
		NR	8.00	Annual	
			25.00	Annual	January
* County Departments applicable to (a) (b) or (d).					
35. Money lending or pawnbroker (see Section 6.08.150(A))	P, S, T		\$100.00	Annual	January or July
36. Motel or hotel	P, T		8.00	Annual	January or July
37. Moving picture shows (indoors and drive-in)	H, P, T		12.00	Annual	January
38. Pet shop	H, P, T		8.00	Annual	January
39. Phonographs, music boxes or music-playing machines (renting out or placing)	P, T		10.00	Semi-Annual	January and July
	P, T		2.00	Semi-Annual	January and July
(a) Operator's license					
(1) Each machine or device (sticker)					

40. Prize fighting or wrestling (professional)	P, T		25.00	Daily	
41. Real estate business (not the salespersons)	P, T		8.00	Annual	January or July
42. Restaurant (no live entertainment or dancing)	H, P, T		8.00	Annual	January
43. Restaurant or nightclub (where live entertainment or dancing is provided (see Section 6.08.150 (A) and (C)))	H, P, S, T		25.00	Annual	January
44. Rodeo (see Section 6.08.150(A))	P, S, T		10.00	Daily	
45. Septic tank installation or repair	H, P, T		8.00	Annual	January
46. Service station	P, T		8.00	Annual	January or July
47. Shooting match or turkey shoot (see Section 6.08.150(A))	P, S, T		3.00	Daily	
48. Subcontractors	P, T	R	8.00	Annual	January or July
(a) Resident	P, T	NR	50.00	Semi-annual	January and July
(b) Nonresident					
49. Swimming pool or plunge	H, P, T		8.00	Annual	January
50. Taxicabs (see Chapter 6.60)	P, S, T		8.00	Annual	January or July
(a) Operator	P, S, T		No fee	Annual	January or July
(b) Drivers			1.00	Annual	January or July
(c) Each vehicle (sticker)					January or July

51. Tent show (see Section 6.08.150(A))	P, S, T		10.00	Daily	
52. Trained animal show (see Section 6.08.150(A))	P, S, T		10.00	Daily	
53. Trailer sales lot	P, T		50.00	Annual	January or July
54. Transient merchants, itinerant merchants, itinerant vendors, canvassers or solicitors (see Chapter 6.24)	P, S, T P, S, T P, S, T P, S, T	R & FPB R & No FPB	10.00 20.00 30.00 35.00	Annual Annual Annual Annual	January January January January
(a) Persons who are permanent residents of the county and who are representatives of a firm, organization or corporation maintaining a fixed permanent place of business in the county		NR NR			
(b) Persons who are permanent residents of the county but represent a firm, organization or corporation which does not maintain a fixed permanent place of business in the county					
(c) Persons who are not permanent residents of the county but are permanent residents of the					

state					
(d) Persons who have their permanent residence outside of the state					
55. Variety stores	P, T		8.00	Annual	January or July
56. Vending machines	P, T		5.00	Annual	January or July
(a) Operator	H, P, T		5.00	Annual	
1. Nonfood related	P, T		1.00	Annual	January
2. Food related	H, P, T		1.00	Annual	January or July
(b) Each machine (sticker)					January
1. Nonfood related					
2. Food related					
57. Waste disposal collector	H, P, T		8.00	Annual	January
58. Water well drillers	H, P, T		8.00	Annual	January

~~6.12.050 Fees for outdoor festivals.~~

~~The license fee for an outdoor festival, as that term is defined in Section 6.56.020, shall be in such amount or amounts as is set forth in Chapter 6.56, subject to such restrictions, conditions, and regulations as are set forth in Chapter 6.56.~~

6.12.060 Changes in rates.

The rates of license fees established in this title may be changed by the board ~~of supervisors~~ by resolution or ordinance.

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Chapter 6.16 ACTION TO COLLECT FEES

6.16.010 Civil action designated.

If any person, firm, association, or corporation commences, conducts, or carries on any business, exhibition, occupation, or activity mentioned in this title without first paying a license fee and obtaining the license as provided for in this title for conducting or carrying on the business, exhibition, occupation or activity, an action may be commenced and prosecuted by the county against such person, firm, association, or corporation for the collection of the license fee. The court may, in addition to the amount due for such license fee and court costs, award a penalty not to exceed the amount allowed by Section 25132 of the California Government Code. In the event of a judgment in favor of the county five hundred dollars. In the case of a recovery by the plaintiff (county) in the action provided for in this section, the sum of the judgment shall be paid to the ~~county~~ tax collector who shall deposit such amount into the general fund of the county ~~treasurer~~.

Chapter 6.20 ~~ROLES DUTIES~~ OF COUNTY OFFICERS

~~6.20.010 County auditor.~~

~~The county auditor shall prepare and have printed appropriate blank licenses which shall be consecutively numbered and issued in triplicate. He shall from time to time deliver them to the tax collector in such quantities as may be required, taking his receipt therefor.~~

6.20.020 Tax collector.

~~(a)A.~~ The tax collector ~~shall issues~~ all business licenses ~~which shall contain the following information: the date of license issuance, the amount collected, the name of the person to whom issued, the name or class of business licensed, the location of such business, and the period for which issued.~~ The county tax collector shall ~~sign and~~ stamp with the tax collector's seal such business license and transmit it to the applicant.

~~(b)~~ For the purpose of this title, the tax collector acts as the administrator for issuing business licenses, and is responsible for implementing this title.

~~(c)B.~~ The tax collector shall also retain for two ~~(2)~~ years after the expiration date, a record of all business licenses and their effective starting dates.

~~(d)~~ The tax collector shall be the hearing officer for appeals to the denial or revocation of business licenses in accordance with this title.

~~6.20.030 Settlement between tax collector and auditor.~~

~~On or before the fifth day of each month, the tax collector shall make settlement with the county auditor for all licenses issued during the previous calendar month, returning the duplicate copies of licenses issued, and certifying the amount received therefor to the county treasurer for credit to the general fund.~~

6.20.040 Sheriff. County sheriff.

~~(a)~~ The sheriff reviews and makes ~~It shall be the duty of the county sheriff recommendations regarding the approval of business license applications for any nature of business, for which the sheriff is noted as a regulating department, and the employee within the county department of planning and building designated by the director of planning and building, pursuant to Section 22.10.020, to enforce this title;~~

~~(b)~~ The sheriff enforces the provisions of this title; and they are authorized to arrest a person without a warrant whenever ~~there is either has~~ reasonable cause to believe that the person to be arrested has committed a misdemeanor within ~~their his~~ presence which is a violation of any provision of this title.

6.20.050 Health officer.

~~The It shall be the duty of the county health officer and his deputies to reviews~~ and makes recommendations on business license applications for those classes of business, listed in Section 6.12.040 of this title for which the health officer department is noted as a regulating

department and for any other class of business that the tax collector may deem necessary for the public health and safety. ~~Also see Section 6.08.150.~~

6.20.060 Planning and building director. ~~Director of Planning and building.~~

(a) ~~The~~ ~~It shall be the duty of the county director of~~ planning and building ~~director and his deputies to~~ reviews all business license applications pursuant to Title 22 or Title 23 of this code, Section 22.02.028 and ~~to recommend~~ s approval of such applications where the proposed use, site, and building, if any, are consistent with all applicable provisions of the land use ordinance, Title 22 or Title 23 of this code.

(b) In the enforcement of the provisions of this title ~~pursuant to Section 6.20.040~~, the planning and building ~~director of planning and building~~ is also authorized to secure compliance with this title through any of the enforcement procedures specified by California state law or this code, which are deemed in Sections 22.10.100 et seq. which he deems appropriate, in cases where a site contains violations of this title or Titles 19, 22, or 23 of this code ~~or 22 of this code in addition to a violation of this title.~~

6.20.070 Public works director. ~~County engineer.~~

The public works director ~~It shall be the duty of the county engineer and his deputies to~~ reviews and makes s recommendations on any business license application for which the business would encroach or impair access on a public right-of-way, sidewalk or roadway. ~~See Section 6.08.150(E).~~

6.20.075 County agricultural commissioner.

The county agricultural commissioner, by operation of the provisions of Section 2.20.040, exercises the duties of the county sealer of weights and measures. ~~Under It shall be his duty under~~ this chapter and in accordance with the general provisions of law the agricultural commissioner licenses to license ~~all~~ weighing and measuring devices and collect s the fees charged ~~therefor~~ in accordance with the provisions of the fee ordinance as established by the board ~~of supervisors.~~

6.20.075.1 Purpose, authority, and definitions.

(a) Purpose and Authority. Sections 6.20.075—6.20.075.8 establish a system for registering commercial weighing and measuring devices, and to recover the costs of inspecting and testing such instruments in accordance with the provisions of Section 12210 of the California Business and Professions Code.

(b) Definitions.

(1) "Commercial purposes" means and includes the determination of the weight, measure, or count of any commodity or thing which is sold on the basis of weight, measure, or count; or the determination of the weight, measure, or count of any commodity or thing upon which determination a charge for service is based. Devices used in a determination upon which a charge for service is based include, but are not limited to, taximeters, odometers, timing devices, parcel scales, shipping scales, and scales used in the payment of agricultural workers.

"Commercial purposes" does not include the determination of the weight, measure, or count of any commodity or thing which is performed within a plant or business as a part of the manufacturing, processing or preparing for market of that commodity or thing, or the determination of charges for the transmission of letters or parcels of less than one hundred fifty

pounds, ~~except when that determination is made in the presence of the customer charged for the service.~~

(2) "Department" means the department of agriculture/ ~~weights and measures measurement standards~~ of the county.

(3) "Location" means the room, enclosure, building, vehicle, space, or area where one or more weighing or measuring devices are located.

(4) "Measuring instrument" means any device, contrivance, apparatus, or instrument used, or designed to be used, for ascertaining measure, and includes any tool, appliance, or accessory used or connected therewith.

(5) "Person" means and includes any person, firm, corporation, or association.

(6) "Sealer" means the agricultural commissioner of the county or his or her designated, duly ~~licensed certified~~ and authorized inspectors and employees.

(7) "Weighing instrument" means any device, contrivance, apparatus, or instrument used, or designed to be used, for ascertaining weight, and includes any tool, appliance, or accessory used or connected therewith.

6.20.075.2 Registration certificate required.

No person shall use any weighing or measuring devices for commercial purposes, ~~except scales used primarily for the weighing of feed or seed~~, without having a current registration certificate for such device. The certificate shall be in addition to any other certificate, license, or permit which may be required by the county or any other public entity.

6.20.075.3 Application for registration certificate.

An application for a registration certificate must be submitted to the sealer in the form prescribed by the agricultural commissioner. The sealer shall authorize the registration certificate upon receipt of a completed application and payment of the applicable fee.

6.20.075.4 Term of registration certificate.

A registration certificate shall be valid for a period of one year from the date of issuance, and must be renewed from year to year, for successive one-year periods, upon payment of the applicable fee.

6.20.075.5 Persons to whom certificate issued.

A registration certificate may be issued to a corporation duly authorized to transact business in this state, and to a person operating under a fictitious name, who has complied with the provisions of the California Business and Professions Code. Otherwise, all such certificates shall be issued in the true name of the applicant. Except as provided in this section, no business, occupation or activity for which a certificate is required by Sections 6.20.075 through 6.20.075.8, may be conducted under any false or fictitious name. A certificate issued to a corporation shall designate such corporation by the exact name which appears in the articles of incorporation of such corporation.

6.20.075.6 Lost certificate.

If a current registration certificate has been lost, the person to whom it was issued may obtain a replacement from the sealer upon payment of the replacement fee.

6.20.075.7 Transfer of certificate.

A registration certificate is not transferable from one person to another, and is valid only for the specific device, and if the device is to be used at a fixed location, for the specific location for which issued.

6.20.075.8 Penalties.

Any registration certificate for which the fees have not been paid within thirty days from the date such payment is due will be subject to a one hundred percent penalty, with a like amount accruing each thirty days which elapse without payment received.

~~6.20.080 Investigation and control.~~

~~Various county agencies, including but not limited to, the health department, the planning department, animal regulation, the sheriff, or other county departments exercising investigatory and control functions, shall, as appropriate, compile information on licensees under this chapter. Said information shall be submitted to the county tax collector for appropriate action where violations have been demonstrated to exist as provided by Sections 6.20.101 through 6.20.103.~~

~~6.20.090 Issuance of citations.~~

~~The following procedures shall be applicable to the issuance of a citation, pursuant to the authority conferred by Section 6.20.101 to any person, including either adults or juveniles, suspected of the violation of any of the provisions of this title. The employee issuing the citation shall prepare in triplicate a written notice to appear in court, containing the name and address of the person cited, the offense charged and the time and place where and when such person shall appear in court.~~

~~A. Unless waived by the person cited, the time specified in the notice to appear must be at least five days after such citation is issued.~~

~~B. The place specified in the notice to appear shall be the Municipal Court of the County of San Luis Obispo, state of California, in which the alleged violation has taken place.~~

~~C. The employee issuing the citation shall deliver one copy of the notice to appear to the person cited, and the person cited, in order to secure release, must give his written promise to so appear by signing the duplicate notice. Thereupon, the employee issuing the citation shall forthwith release the person cited. The triplicate shall be retained by the employee issuing the citation.~~

~~D. The employee issuing the citation shall, as soon as practicable, file the duplicate notice with the court specified in subsection (B) of this section.~~

~~E. If the person cited does not actually appear in response to such notice at the time specified therein, then the employee who issued the citation shall request that a warrant be issued for the arrest of the person so notified to appear.~~

~~6.20.100 Violation abatement and correction.~~

~~A. Any building or structure set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of Title 22 and/or any use of any land, building, or premises established, conducted, operated, or maintained contrary to the provisions of this title is unlawful and a public nuisance and the district attorney of the county shall, upon order of the board of supervisors,~~

~~immediately commence action or proceedings for the abatement and removal and enjoinder thereof in the manner provided by law; shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such building or structure and restrain and enjoin any person, firm, or corporation from setting up, erecting, building, maintaining or using any such building or structure or using any property contrary to the provisions of Title 22~~
~~B. The remedies provided for in this title shall be cumulative and not exclusive.~~

6.24.010 Identification card ~~Permit~~ and license required.

It is unlawful for any transient merchant, itinerant merchant, itinerant vendor, ~~solicitor~~solicitor, or canvasser as defined in this title to engage in such business within the unincorporated areas of the county without first obtaining a ~~permit and~~ license and identification card ~~therefor~~ in compliance with the provisions of this title. It is unlawful for any agent or employee of a solicitor or canvasser to engage in such business within the unincorporated areas of the county without first obtaining an identification card ~~a permit or badge therefor~~ in compliance with the provisions of this title.

6.24.020 Application.

Subsections (1) through (9) of this section will be completed in the presence of the tax collector, and subsections (10) through (12) will be completed by the sheriff, allowing a thirty (30) day waiting period for the investigation.

Every application for a license and identification card required by this chapter shall be signed by the applicant and shall contain the following:

~~Applicants for a badge, permit, or license under this chapter must file with the county tax collector a sworn application in writing (in duplicate) on a form to be furnished by the county tax collector, which application shall give the following information:~~

~~(Subsections A through G to be completed by tax collector, subsections H through J to be completed by sheriff, allowing a two-week waiting period for the investigation.)~~

~~(1) A.~~ Name and description of the applicant;

~~(2) B.~~ Permanent home address and full local address of the applicant;

~~(3) C.~~ A brief description of the nature of the business and the goods to be sold or the services to be rendered;

~~(4) D.~~ If employed, the name and address of the employer, together with credentials establishing the exact relationship;

~~(5) E.~~ The length of time for which the right to do business is desired;

~~(6) F.~~ The place where the goods ~~or property proposed~~ to be sold, ~~or orders taken for the sale thereof~~, are manufactured or produced, where such goods or products are located at the time the ~~said~~ application is filed, and the proposed method of delivery;

~~(7) If services are to be rendered, a statement as to the manner in which they are to be rendered;~~

~~(8) G.~~ Three (3) ~~clear~~ photographs showing the head and shoulders of the applicant, ~~two (2) by three (3) inches in size; procured by the applicant at his own expense and taken within sixty days immediately prior to the date of filing of the application, which pictures shall show the head and shoulders of the applicant in a clear and distinguishing manner;~~

~~(9) The physical description of the applicant;~~

~~(10) H.~~ The fingerprints of the applicant and the names of at least two (2) reliable property owners ~~in of~~ the county who will certify ~~as to~~ the applicant's good character and business responsibility; ~~respectability~~ or, in lieu of the names of references, such other ~~available~~ evidence ~~as to the good character and business responsibility of the applicant~~ as will enable an investigator to properly evaluate the such character and business responsibility of the applicant;

~~(11) I.~~ A statement as to whether ~~or not~~ the applicant has been convicted of a felony, any crime, misdemeanor, or violation of any county ordinance, and if so, the nature of the offense and the date the sentence, penalty, or other obligation was completed; ~~punishment or penalty assessed therefor~~;

~~(12) J.~~ The description and license number of any motor vehicle to be used by the applicant.

6.24.030 Fee payment.

~~At the time of filing the application, the fees to cover the cost of investigation and licensing shall be paid to the county tax collector by each individual applying for the license badge or permit.~~

6.24.040 Prima facie evidence of permanent residence or place of business.

~~For the purpose of this chapter the maintenance by any person, firm, organization, or corporation of a home or fixed place of business within the boundaries of the county for a period in excess of ninety days shall be prima facie evidence of a permanent residence or a fixed permanent place of business in the county.~~

6.24.050 Investigation.

Upon completion of such application, the original shall be retained by the sheriff, who shall cause the investigation of applicant's business and moral character to be made as is deemed ~~he deems~~ necessary for the protection of the public good.

6.24.060 Denial ~~Disapproval~~ of application.

~~(a) A-~~ If, as a result of the investigation, the grounds for denial of a license pursuant to Section 6.08.006 are present, applicant's character or business responsibility is found to be unsatisfactory, the sheriff shall return a copy of the application, together with a recommendation of denial, endorse on the application his disapproval and his reasons for the same, and return the duplicate application to the county tax collector. The tax collector must weigh and consider the recommendations of the sheriff before making a decision on the subject license application., who shall notify the applicant that his application is disapproved.

~~(b)~~ The tax collector is empowered to deny applications based upon the recommendation of the sheriff, supported by factual matter which justifies denial. The tax collector is empowered to condition the issuance of a particular license upon conditions, which are related to the carrying on of the particular business by the particular applicant in the interests of the public health, safety, and welfare of the people of the county.

~~(c) B-~~ Any person whose application has been denied ~~disapproved~~ shall have the right to appeal ~~to the board of supervisors~~ as provided under Sections 6.08.170 and 6.08.180 of this title.
6.08.110

6.24.070 Application approval.

~~(a)~~ If, as result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the sheriff shall approve ~~so endorse~~ the application for the carrying on of the business applied for and send notice of the approval of the ~~return the~~ application to the ~~county tax collector, who shall issue~~ the license and/or identification card to the applicant ~~his badge, permit or license.~~

~~(b)~~ The license ~~or permit~~ shall be sealed by the tax collector ~~contain the signature and seal of the issuing officer~~ and shall contain the following:

(1) the number of the business license,

(2) show the name and, address, and photograph of the applicant,

(3) the class of license ~~or permit~~ issued and the kind of goods to be sold or services rendered,
thereunder,

(4) the amount of fee paid, and

(5) the date of issuance and the length of time the license same shall be operative.,

(6) as well as the license number and other identifying descriptions of any vehicle used in such
soliciting or canvassing.

(c) The tax collector shall issue to each licensed solicitor and any agents or employees an
identification card which shall contain the words "licensed solicitor," as well as the following
information:

(1) the name of the solicitor or canvasser,

(2) the period of time for which the business license is issued,

(3) the number of the business license, and

(4) the physical description of the solicitor with a current photo.

(d) The identification card, during the time the licensee, agents, or employees are engaged in
canvassing or soliciting, shall be worn on the front of the outer garment in a conspicuous manner.

(e) The issuance of any such license and/or identification card shall not constitute any
endorsement by the board or any of the officers of the county as to the reputation of reliability of
the bearer thereof, or the goods to be sold or services to be rendered.

~~6.24.080 Bond.~~

~~Every applicant for a business license, not a resident of the county, for a period of ninety days or who being a resident of the county, represents a firm, organization, or corporation which does not maintain a principal place of business located in the county shall file with the county tax collector a surety bond, running to the county in the amount of one thousand dollars, with surety acceptable to and approved by the board of supervisors, conditioned that the applicant, his agents and employees, shall comply fully with all of the provisions of the ordinances of the county and the statutes of the state regulating and concerning the business of solicitor and guaranteeing to any citizen of the county that all money paid as down payment will be accounted for and applied according to the representations of the solicitor, his agents and employees, and further guaranteeing to any citizen of the county doing business with the solicitor, his agents and employees, that the property purchased will be delivered according to the representations of the solicitor, his agents and employees. Action on the bond may be brought in the name of the county to the use or benefit of the aggrieved person. Where a person has more than one canvasser or solicitor employed, one surety bond may be posted covering all solicitors in the sum herein specified.~~

~~6.24.090 Badges.~~

~~The tax collector shall issue to each licensed solicitor and his agents or employees a badge which shall contain the words "licensed solicitor," name, the period for which the license is issued, and the number of the license. The badge shall, during the time the licensee or his agents or employees are engaged in canvassing or soliciting, be worn constantly by the licensee or his agents or employees on the front of their outer garment in such a way as to be conspicuous. The issuance of any such badge, license or permit shall not constitute any endorsement by the board of supervisors or any of the officers of the county as to the reputation of reliability of the bearer thereof, or the goods, wares, publication or merchandise for which he is soliciting.~~

6.24.100 Expiration and renewal of license and identification card.

~~(a) All licenses, permits or badges issued under provisions of this chapter shall expire as set forth in Section 6.08.030 of this title, and are renewable as set forth in Section 6.08.090 of this title. However, title shall expire on the thirty first day of December in the year when issued.~~
~~(b) A new solicitor's identification card application shall be required filed and application fee paid for each calendar year that the associated solicitor's license is renewed, during which one or more solicitations are made by any person or persons coming within the operation of this title. The business license may be renewed subject to Section 6.08.090 and subject to all of the conditions required for the original application.~~

Chapter 6.28 SALES YARDS, AUCTION YARDS AND/OR FLEA MARKETS

6.28.010 Business license required.

Every person who conducts a sales yard, auction yard and/or flea market, before leasing space to various vendors, must first demand that such vendors produce a county business license as provided in this title.

Chapter 6.32 FIREWORKS

6.32.010 Restrictions on sale and use.

It is unlawful to discharge, manufacture, use, sell at wholesale or retail, have, possess, keep, store, import, export, shoot off, explode, transport (except as a public carrier), or make a public display of, within the unincorporated areas of the county, any fireworks as defined in Chapter 1, Part 2, of Division 11 of the Health and Safety Code of the ~~State state~~ of California; save and except such fireworks as may be sold or public display thereof made, under the provisions of Part 2, Division 11 of the Health and Safety Code of the ~~State state~~ of California (State Fireworks Law), Subchapter 6 of Title 19 of the California Administrative Code (Rules and Regulations of the ~~Office of the~~ State Fire Marshal); and other provisions of this chapter.

6.32.015 Safe and sane fireworks in districts.

Nothing in this chapter shall be construed to prevent regulation of the sale or use of safe and sane fireworks (as defined in Health and Safety Code Section 12529 and related sections) within the territory of a community services district or other district which exercises fire control functions, including therein the adoption of its own version of the ~~California Uniform~~ Fire Code. This code shall not regulate nor preempt regulation of safe and sane fireworks in such local districts.

~~Applicants who have received a permit for the sale of safe and sane fireworks from a community services or fire district pursuant to this section shall not be required to obtain a business license in addition to the permit.~~

6.32.020 Designated.

Fireworks shall include, but not be limited to, blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, fire balloons (balloons of a type which have burning material of any kind attached thereto or which require fire underneath to propel them), firecrackers, torpedoes, skyrockets, rockets, Roman candles, ~~Daygo bombs~~, sparklers, or other fireworks of like construction and any fireworks containing any combustible or explosive substance for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, but does not include toy pistols, toy canes, toy guns or other similar devices in which paper caps containing not more than twenty-five hundredths grains of explosive compound per cap are used.

6.32.030 Permitted displays and use.

Public pyrotechnic displays and the use of fireworks for such purposes may be permitted at such times and places as the board ~~of supervisors~~ may direct or permit under the direct supervision of the ~~county fire chief State Forest Ranger of the county~~ or chief of the fire department in the fire district where the display is to take place.

6.32.040 Applications for license.

Applications for a county business license to make a public pyrotechnic display and forms providing for such additional information as required by the chiefs of the fire department shall be obtained from the tax collector of the county.

6.32.050 Application review.

If the proposed place of public display is situated within a fire district then the ~~The~~ chief of the fire department of the fire district shall review the applications and submit findings and recommendations regarding the issuance of the license. within which the proposed place of the public display is situated or, in ~~However, if the proposed place of public display is not situated within a fire district then the county fire chief shall review the applications and submit findings and recommendations regarding the issuance of the license. the event the proposed place of public display is not within a fire district, the county fire chief shall review applications and insert his findings and recommendations regarding the issuance of the license.~~

6.32.060 Recommendation review.

The findings and recommendations of such officer regarding the issuance of the license together with the ~~his~~ reasons for such findings and recommendations therefor shall be submitted ~~forwarded~~ to the board ~~of supervisors~~ for review prior to their granting or denying approval for the issuance of a business license.

6.32.065 Insurance.

After filing an application for a fireworks business license, the applicant shall file with the tax collector copies of insurance policies, together with certificates of insurance executed by an authorized representative of the insurance carrier, showing coverage in accordance with the requirements as set forth by risk management. The policy shall be effective for the entire length of time that the fireworks business license is valid. The policy shall not be cancelled or changed without first giving ten (10) days prior written notice to the tax collector.

6.32.070 License issuance.

Upon the receipt of the approval of the board ~~of supervisors~~, the tax collector ~~of the county~~ shall issue a business license for the public pyrotechnic display in compliance therewith.

6.32.080 License renewal.

(a) Once approved by the board, for time and place, the license may be renewed for the same time and place in consecutive years. Prior to renewal the fireworks business license holder must provide proof that the requirements regarding the insurance policy and approval by the county fire chief have been obtained for the renewal period.

(b) If the license is not renewed each consecutive year, no renewal is possible, and a new application process must be initiated pursuant to this code.

Chapter 6.36 CARD GAMES AND TABLES

6.36.010 Application review.

An application for a license to operate a card game or card table must be reviewed by the ~~county~~ sheriff. The application, together with the findings and recommendations of the sheriff shall then be presented to the board ~~of supervisors~~ for approval. The board's review of the application shall include, but is not limited to a determination of whether the sheriff's findings confirm that the applicant has satisfied the following county requirements:

(1a) Card rooms may operate for twenty-four (24) hours a day, seven (7) days a week. The hours of operation ~~The hours of operation may be determined at the discretion of the applicant, but~~ shall be clearly posted in the card room, and shall not cause a violation of any provision in Title 22 ~~or 23 of this code; the County Code;~~

(2b) The location of such card room or table complies with the requirements of Titles 22 ~~or and~~ 23 of ~~this code; the County Code, and specifically Section 22-08.062;~~

(3e) The number of card rooms allowed in the county's jurisdiction shall not exceed ten (10) rooms, and the number of card tables allowable for any card room shall not exceed four (4) tables, and shall not cause the county to exceed its jurisdictional limit of forty (40) tables, except that a maximum of ten (10) tables may be allowed for up to five (5) days for a tournament, upon application to and approval by the board ~~of supervisors~~ pursuant to the provisions of this chapter; (4) Any card room license holder must apply for approval with the Bureau of Gambling Control to operate temporary tables for a tournament pursuant to California Gambling Control Commission Regulation Section 12358 before seeking board approval for additional temporary tables pursuant to subdivision (3) of this section;

(5d) The per person wagering limits shall be clearly posted in the card room, and shall not exceed one thousand dollars (\$1,000.00) per game; and

(6e) The applicant shall be liable for the safety and security of the patrons, and shall provide adequate security measures at the card room or card tables to ensure patron security and safety at such card room or card tables.

6.36.020 License issuance.

(a) No such license as is referred to in this chapter shall be issued except upon order of the board ~~of supervisors~~, under the following conditions:

(1) The sheriff's findings and recommendations reflect that the applicant has complied with any and all county ordinances pertaining to the hours of operation, the location of such card room or table, the number of tables allowable for such card room, wagering limits, and adequate security measures at the card room or card tables to ensure patron security and safety at such card room or card tables; and

(2) The applicant has complied with the provisions of California Business and Professions Code Sections 19800 et seq., and has accordingly received a gambling license from the State ~~state~~ of California.

(b) The board ~~of supervisors~~ may limit the number of county licenses issued, which in its judgment shall be for the best interest of the public peace, safety, and welfare.

6.36.030 Effective date of license.

The license shall become effective ~~commence~~ on the date the license is issued ~~board of supervisors approves the application~~ and shall be valid ~~effective~~ for a period of one (1) year.

Chapter 6.40 GAMBLING DEVICES

6.40.010 State provisions.

The provisions contained in this title shall not be construed to permit the licensing of any slot machine or gambling device declared illegal by the Penal Code of the State state of California; nor shall any license issued hereunder permit the operation, possession, or use of any slot machine or gambling device declared illegal by the Penal Code of the State state of California.

~~6.40.020 Certain devices prohibited.~~

~~It is unlawful for any person, firm or corporation to keep, maintain, possess or have under control in any place whatever, either as owner, lessee, agent, employee, mortgagee or otherwise, any table game or device commonly known as a "pinball machine," "pin game" or "marble game" or similar device by whatever name known, the operation, use or play of which is controlled by placing therein any coin, plate, disk, plug, key or other device, or by the payment of any fee, provided that possession of such devices for the sole purpose of storage or repair on premises other than retail licensed premises is not unlawful if such machines are rendered inoperative while in the unincorporated area of the county.~~

~~6.40.030 Nuisance designated.~~

~~Any machine, contrivance, appliance, device, game, instrument or article kept, maintained, possessed or controlled in violation of Section 6.40.020 is declared to be a nuisance and shall be subject to abatement as provided in Section 6.40.040.~~

~~6.40.040 Abatement.~~

~~Anything declared in Section 6.40.030 to be a nuisance as a result of a violation of Section 6.40.020, of which violation any person, firm, or corporation has been convicted or has pleaded guilty, shall be destroyed with its contents by the sheriff of the county after such plea or after judgment of conviction becomes final. If the machine contains money, the money shall be deposited in the general fund of the county.~~

~~If anything so subject to destruction is in the custody of any court in this county, the sheriff of the county will apply to the court for the release of it to him for destruction.~~

Chapter 6.44 FORTUNETELLING

6.44.010 Prohibited activities designated.

It is unlawful for any person, firm, association or corporation to conduct or maintain card reading, clairvoyance, legerdemain, palmistry or fortunetelling.

6.44.020 Advertising restrictions.

No person shall advertise by sign, circular, handbill or in any newspaper, periodical or magazine or other publication or publications, or by any other means, to tell fortunes, to find or restore lost or stolen property, to locate oil wells, gold or silver or other ore or metal or natural products; to restore lost love or friendship or affection, to unite or procure lovers, husbands, wives, lost relatives or friends, for or without pay, by means of occult or psychic powers, faculties or forces, clairvoyance, psychology, psychometry, spirits, mediumship, seership, prophecy, astrology, palmistry, necromancy or other craft, science, cards, talismen, charms, potions, magnetism or magnetized articles or substances, oriental mysteries or magic of any kind or nature, or numerology, or to engage in or carry on any business the advertisement of which is prohibited hereby.

6.44.030 Religious functions excepted.

The provisions of Section 6.44.020 shall not be construed to include, prohibit, or interfere with the exercise of any religious or spiritual function of any priest, minister, rector or an accredited representative of any bona fide church or religion, where said priest, minister, rector or accredited representative owns a certificate of credit, commission, ordination, under the ecclesiastical laws of a religious corporation, incorporated under the laws of any state or territory of the United States of America, or any voluntary religious association, and who fully conforms to the rites and practices prescribed by the supreme conference, convocation, convention, assembly, association or synod of the system or faith with which they are affiliated. Provided, however, that any church or religious organization, which is organized for the primary purpose of conferring certificates of commission, credit or ordination for a price, and not primarily for the purpose of teaching and practicing a religious doctrine or belief, shall not be deemed to be a bona fide church or religious organization.

Chapter 6.48 COMMUNITY ANTENNA TELEVISION FRANCHISE (CATV)

Not being revised at this time.

Chapter 6.52 PRIVATE PATROL SERVICES

Not being revised at this time.

Chapter 6.56 TEMPORARY COMMERCIAL OUTDOOR ENTERTAINMENT LICENSES

This chapter is not being revised at this time.

Chapter 6.60 PREHOSPITAL EMERGENCY MEDICAL CARE AND TRANSPORT SERVICES*

Not being revised at this time.

Chapter 6.64 BINGO GAMES

6.64.010 Definitions.

The following terms shall have the following meanings when used in this chapter:

(a4) "Bingo" means a game of chance in which prizes are awarded on the basis of designated numbers or symbols on a card which conforms to numbers or symbols selected at random.

~~(2) "Board of supervisors" means the board of supervisors of the county.~~

~~(3) "Building official" means the building official for the county.~~

~~(4) "County tax collector" means the tax collector for the county.~~

(b5) "Eligible organizations" means those organizations described in Section 6.64.030 of this chapter.

6.64.020 License required.

It is unlawful for any person, individual, partnership, corporation, trust, or community chest to hold, operate, maintain, or conduct, or to knowingly allow to be held, operated, maintained, or conducted upon his, her, or its property a bingo game or games, as defined in this chapter, in the unincorporated area of the county unless it shall first obtain in the manner and pursuant to the conditions prescribed herein, a license from the ~~county~~ tax collector to operate, maintain, or conduct such bingo game or games. Said license shall be issued only to eligible organizations described in Section 6.64.030 of this chapter.

6.64.030 Organizations eligible for county license to conduct bingo games.

Only businesses expressly authorized by state law, including California Penal Code Section 326.5 are authorized to apply for a license to conduct bingo games within the unincorporated areas of the County.

~~The following organizations are eligible to apply to the county for a license to conduct bingo games in the unincorporated areas of the county under the provisions of Section 326.5 of the California Penal Code and the provisions of this chapter:~~

~~(1) Corporations, community chests or trusts, organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary or educational purposes, or to foster national or international amateur sports competition, or for the prevention of cruelty to children or animals, exempted from the payment of the bank and corporation tax by Section 23701(d) of the Revenue and Taxation Code of the state of California.~~

~~(2) Business leagues, chambers of commerce, real estate boards, or boards of trade, exempted from the payment of the bank and corporation tax by Section 23701(e) of the Revenue and Taxation Code.~~

~~(3) Civic leagues or organizations, or local organizations of employees, exempted from the bank and corporation tax by Section 23701(f) of the Revenue and Taxation Code.~~

~~(4) Domestic fraternal societies, orders or associations, operating under the lodge system, exempted from the bank and corporation tax by Section 23701(1) of the Revenue and Taxation Code.~~

~~(5) Senior citizen organizations organized and operated exclusively for the pleasure, recreation, and other nonprofitable purposes of their membership, no part of the net earnings of which inures to the benefit of any private member, shareholder or person. For purposes of this section, a "senior citizen organization" is one which, among other things, requires prospective members to have achieved the age of fifty five years as a precondition to membership in said organization.~~

~~(6) Mobile home park associations, the membership of which consists of the owners and/or tenants of a state-licensed mobile home park. No more than one bingo license shall be issued for the conducting of bingo games in any such mobile home park.~~

6.64.040 Application for license.

Eligible organizations desiring to obtain such license to conduct bingo games in the county shall file an application ~~with therefor in writing in the office of~~ the tax collector on a form to be provided by the tax collector. Said application shall be signed, or electronically signed, under penalty of perjury by at least two officers, including the presiding officer, of the applicant organization. The license issued shall be for a term of one year from the date of issuance, subject to renewal and annual fee.

6.64.050 Applicant must be qualified.

No license shall be issued to any organization unless such applicant is an eligible organization under Section 6.64.030 of this chapter, and its application conforms to all applicable laws of this state and all provisions of this code.

6.64.060 Content of application.

Said application for a license shall contain the following:

- (1) The name and address of the applicant organization;
- (2) A statement by the applicant that it is an eligible organization as described in Section 6.64.030 of this chapter;
- (3) If the applicant is claiming to be an eligible organization as described in ~~subsections (1), (2), (3), or (4) of~~ Section 6.64.030 of this chapter, a copy of the letter of exemption from the California Franchise Tax Board indicating the applicant is an exempt organization under Section 23701 ~~et. seq.(d), 23701(e), 23701(f) or 23701(1)~~ of the California Revenue and Taxation Code;
- (4) If the applicant is a mobile home park association, proof that said mobile home park is currently licensed by the state;
- (5) If the applicant is a senior citizen organization, a copy of the bylaws and other organizational documents establishing that the applicant is an eligible senior citizen organization;
- (6) The exact location, including legal description and/or street address of the property to be used by the applicant for conducting the bingo game;
- (7) A statement by the applicant that the property described in subsection (6) of this section is owned by the applicant or is leased by the applicant and that said property is used by the applicant for the office or for the performance of the purposes for which the applicant is organized;
- (8) The proposed days of the week and hours of the day during which bingo games will be conducted;
- (9) A statement that the applicant agrees to conduct said bingo games in strict compliance with the provisions of Section 326.5 of the California Penal Code and this chapter, as they may be amended from time to time, and agrees that the license to conduct bingo games may be revoked by the county upon violation of any such provisions;
- (10) The annual license fee fixed by the board ~~of supervisors~~ by resolution or ordinance shall accompany the application;
- (11) A statement that the applicant agrees that the county, through its authorized officers, shall have the right to examine and audit the applicant's records described in Section 6.64.120 of this chapter.

6.64.070 Contents of license.

Upon being satisfied that the applicant is fully qualified, under the law, to conduct bingo games in the county, the ~~county~~ tax collector shall issue a license to said applicant, which shall contain the following information:

- (1) The name and nature of the organization to whom the license is issued;

- (2) The address where bingo games are authorized to be conducted;
- (3) The occupancy capacity of the room in which the bingo games are to be conducted;
- (4) The date of the expiration of such license;
- (5) Such other information as may be necessary or desirable for the enforcement of the provisions of this chapter.

6.64.080 Change in facts relating to application.

The applicant and/or licensee shall notify the ~~county~~-tax collector in writing of any change in the facts set forth in the application and accompanying documents within five (5) days after such change.

~~6.64.090 Summary suspension of license pending opportunity for hearing—Misdemeanor to continue after suspension—Revocation.~~

~~(a) Whenever it appears to the tax collector that the licensee is conducting a bingo game in violation of any of the provisions of this chapter, the tax collector may summarily suspend the license and order the licensee to immediately cease and desist any further operation of any bingo game. Said suspension shall also contain the information set forth in subsection (c) of this section and shall be effective upon service in the manner prescribed in this chapter. Said suspension order shall be served by posting a copy of the order at the address described in the license as the location designated for conducting the said bingo games, and by depositing a copy of the suspension order in the United States mail, directed to the licensee at the address given in the application.~~

~~(b) Any person who continues to conduct a bingo game after any summary suspension thereof, under subsection (a) shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine not exceeding five hundred dollars or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment.~~

~~(c) The order issued under subsection (a) shall also notify the licensee of the grounds for said suspension and shall inform it that it shall have fourteen days from the date of service of such order to request a hearing before the board of supervisors to determine whether such license shall be revoked. Failure to request, in writing, such hearing within said fourteen days, shall result in a revocation of the license. Upon said revocation, the licensee shall be notified of such fact by depositing in the United States mail a notice directed to said licensee at the address given in the application.~~

~~(d) Any licensee whose license is suspended or revoked pursuant to subsections (a), (b) and (c) of this section shall have the right, within fourteen days after service of said suspension order or revocation order, to file a written request for hearing to the board of supervisors. Such request shall state the specific ground or grounds upon which the licensee contends such license should not be revoked. The board of supervisors shall hold a hearing regarding the possible revocation of said bingo license within thirty days after receipt by the county of the request for hearing, or at a time thereafter agreed upon, and shall cause the appellant to be given at least ten days' written notice of such hearing. At the hearing, the appellant or its authorized representative shall have the right to present evidence and a written or oral argument, or both, in support of his appeal. All such testimony, whether written or oral, shall be given under penalty of perjury. The determination of the board of supervisors on the appeal shall be final. The hearing shall be conducted in the same manner as a hearing for abatement of nuisance pursuant to Chapter 22.97 of this code. At the conclusion of the hearing, the board of supervisors shall make findings supporting its decision whether the license should be revoked.~~

~~(e) Any organization whose license is revoked pursuant to subsection (c) of this section shall not conduct any bingo game in the county until such time as the board of supervisors, on appeal, determines to set aside said revocation.~~

6.64.100 Revocation of license—Alternative procedure—Effect of revocation.

~~(a) Whenever it appears to the tax collector that the licensee is conducting bingo games in violation of any of the provisions of this chapter, or the license was obtained by fraudulent representation and no summary suspension is ordered under Section 6.64.090, the license may be revoked by the board of supervisors; provided, however, the licensee is first given an opportunity to appear before the board of supervisors at the time fixed by the board for the purpose of presenting evidence why the license should not be revoked. No license shall be revoked under this section unless written notice shall have first been given at least thirty days before the hearing thereof, by depositing in the United States mail a notice directed to said licensee at the address given in the application. The notice shall set forth a summary of the ground advanced as the basis of the revocation. Said hearing shall be conducted and the board's determination shall be made in the manner provided in Section 6.64.090(d).~~

~~(b) Any organization whose license is finally revoked pursuant to this chapter may not again apply for a license to conduct bingo games in the county for a period of one year from the date of such revocation; provided, however, if the ground for revocation is cancellation of the exemption granted under Section 23701(d), (e), (f), or (l) of the Revenue and Taxation Code, such organization may again apply for a license upon proof of reinstatement of said exemption.~~

6.64.110 Maximum amount of prize.

The total value of prizes awarded during the conduct of any bingo game shall not exceed the amount allowed by Section 326.5 of the California Penal Code ~~two hundred fifty dollars in cash or kind, or both,~~ for each separate game, which is held. Subject to the foregoing restriction, organizations described by ~~subsections (b) through (f) of~~ Section 6.64.030 of this chapter, may use the proceeds of said bingo game for prizes.

6.64.120 Profits to be kept in separate fund or account and used only for charitable purposes.

All profits derived from a bingo game shall be kept in a special fund, or account, and shall not be commingled with any other fund, or account, and shall be used exclusively for charitable purposes. The licensee shall keep full and accurate record of the income and expenses received or disbursed in connection with its operation, conduct, promotion, supervision, and any other phase of the bingo games, which are authorized by this chapter. The county, by and through its authorized officers, shall have the right to examine and audit such record at any reasonable time, and the licensee shall fully cooperate with the county by making such record available. With respect to an organization described ~~by subsections (b) through (f) of in~~ Section 6.64.030 of this chapter, a portion of such proceeds, ~~not to exceed ten percent of the proceeds after the deduction for prizes, or five hundred dollars per month, whichever is less,~~ may be used for rental of property, overhead, and administrative expenses as described in Section 326.5 of the California Penal Code.

6.64.130 Financial interest in licensee only.

No individual corporation, partnership, or other legal entity, except the licensee, shall hold a financial interest in the conduct of such bingo game.

6.64.140 Exclusive operation by licensee.

A bingo game shall be operated and staffed only by members of the licensee organization. Such members shall not receive a profit, wage, or salary from any bingo game. Only the licensee shall operate such game or participate in the promotion, supervision, or any other phase of such game.

6.64.150 Bingo games open to public.

All bingo games shall be open to the public, not just to members of the licensee organization.

6.64.160 Attendance limited to occupancy capability.

Notwithstanding that, bingo games are open to the public, attendance at any bingo game shall be limited to the occupancy capacity of the room in which such game is conducted, as determined by the ~~planning and building director-building official~~ in accordance with the applicable laws and regulations. The licensee shall not reserve seats or space for any person.

6.64.170 Bingo games conducted only on licensee's property.

A licensee shall conduct a bingo game only on property owned or leased by it, and which property is used by such organization for an office ~~or~~ for performance of the purposes for which the organization is organized. The license issued under this chapter shall authorize the holder thereof to conduct bingo games only on such property the address of which is stated on the application. In the event the described property ceases to be owned or leased by the licensee, used as an office or as a place for performance of the purposes for which the licensee is organized, the license shall have no further force or effect. A new license may be obtained by an eligible organization, upon application under this chapter, when it again owns or leases property used by it for an office or for performance of the purposes for which the organization is organized. Nothing in this section shall be construed to require that the property owned or leased by the applicant/licensee be used or leased exclusively by such organization.

6.64.180 Minors not to participate.

No person under eighteen (18) years of age shall be allowed to participate in any bingo game.

6.64.190 Hours of operation.

No licensee shall conduct any bingo game more than six (6) hours out of any twenty-four (24)-hour period. No bingo game shall be conducted between the hours of two (2) a.m. and ten (10) a.m. each day. before ten a.m. nor after two a.m. of any day.

6.64.200 Participant must be present.

No person shall be allowed to participate in a bingo game unless the person is physically present at the time and place in which the bingo game is being conducted.

6.64.210 Receipt of profits by a person a misdemeanor under state law.

It is a misdemeanor under Section 326.5(b) of the Penal Code of the ~~State state~~ of California for any person to receive a profit, wage, or salary from any bingo game authorized under this chapter, violation of which is punishable by a fine not to exceed the amount specified in Section 326.5(c) of the Penal Code of the State of California, ~~ten thousand dollars~~, which fine shall be deposited in the general fund of the county.

6.64.220 County may enjoin violation.

The county may bring an action in a court of competent jurisdiction to enjoin a violation of Section 326.5 of the ~~California~~ Penal Code or of this chapter.

6.64.230 Severability.

If any section, subsection, or portion of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this chapter. The board ~~of supervisors~~ hereby declares that it would have adopted this chapter and each section, subsection, or portion thereof, irrespective of the fact that any one or more sections, subsections, or portions be declared invalid or unconstitutional.

Chapter 6.70 TAXICABS

This chapter is not being amended at this time.

Chapter 6.74 INDUSTRIAL DEVELOPMENT AUTHORITY

Not being amended at this time.

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Chapter 6.75 MESSAGE ESTABLISHMENTS AND MESSAGE TECHNICIANS

6.75.010 Massage license required.

It is unlawful for any person or party to conduct business as a massage establishment or massage technician within the unincorporated areas of the county without first obtaining a license in compliance with the provisions of this title.

6.75.020 Exemptions and limitations.

No license shall be required hereunder by the individual holder of a valid certificate issued by the California Massage Therapy Council pursuant to California Business and Professions Code Section 4600 et seq;

A massage establishment that employs or contracts with, only persons who are certified pursuant to California Business and Professions Code Section 4600 et seq to provide massage as defined by this chapter shall only be required to obtain a license for the establishment in accordance with Chapters 6.04 and 6.08 of this title.

6.75.030 Definitions.

As used in this chapter, the words and terms shall have the meanings ascribed to them, unless from the context a different meaning is clearly apparent. The definitions provided in this chapter are in addition to the definitions provided in Chapter 6.04 of this code.

(1) "Massage" means any method of pressure on or friction against, or stroking, kneading, tapping, pounding, vibrating, or stimulating any part of the body of another person by the use of the hands or other part of the body with or without the aid of any apparatus.

(2) "Massage establishment" means a fixed place of business where any person engages in, conducts, or carries on a business providing massage or related services.

(3) "Massage technician" means any person, who administers to another person, for any form of consideration, massage, or related services.

(4) "Recognized school" means a school or institution of learning approved pursuant to Section 4600 et seq. of the Business and Professions Code of the State of California which has for its purpose the teaching of the theory, method, profession, or work of massage or related services, and which school has been approved by the California Massage Therapy Council.

6.75.040 Massage license – Form of application.

Subsections (1) through (9) of this section will be completed in the presence of the tax collector, subsections (10) through (14) will be completed by the sheriff, allowing a thirty (30) day waiting period for the investigation.

Every application for a license to conduct business as a massage establishment or massage technician, required by this chapter, shall be signed by the applicant and shall contain the following:

(1) The name and mailing address of the applicant. If the applicant is a corporation, the name shall be exactly as set forth in its articles of incorporation. If the applicant is a partnership, the name and address of each general partner shall be stated. If one or more of the partners is a corporation, the provisions of this section as to a corporate applicant apply. The names of all other persons having an interest in the enterprise;

- (2) If the applicant is a corporation, the name and mailing address of an officer who is duly authorized to accept the service of legal process;
- (3) A brief description of the nature of the business and the services to be rendered;
- (4) The place and manner in which the services are to be rendered;
- (5) The telephone number of the applicant;
- (6) The email address of the applicant;
- (7) The name under which the applicant will be doing business;
- (8) Proof of graduation from a recognized school is required for all massage technicians applying for a license;
- (9) A clear photograph showing the head and shoulders of the applicant, two (2) by three (3) inches in size;
- (10) The physical description of the applicant;
- (11) Proof that the applicant is at least eighteen (18) years of age;
- (12) The fingerprints of the applicant and other evidence as will enable an investigator to properly evaluate the character and business responsibility of the applicant;
- (13) A statement as to whether or not the applicant, or any of the persons having an interest in the enterprise, has been convicted of a felony or misdemeanor, and if so the nature of the offense and the date the sentence, penalty, or other obligation was completed;
- (14) A statement as to whether or not the applicant, or any of the persons having an interest in the enterprise, is required to register under the provisions of Section 290 of the California Penal Code.

6.75.050 Investigation.

- (a) Upon completion of such application, the original shall be submitted to the sheriff, who shall cause the investigation of the applicant's business and moral character to be made, as is deemed necessary for the protection of the public good.
- (b) The sheriff shall have an automatic thirty (30) days after receipt, of the application for review, to respond to the tax collector.
- (c) In the absence of any response from the sheriff within the time limit specified herein, the tax collector, upon presentation of the receipt from the applicant showing that the time limit has been exceeded, must assume a favorable response by the sheriff, and proceed with the processing of the license application accordingly.
- (d) In an extraordinary case, for good cause shown, the tax collector may allow the sheriff more time than is stated in this section to complete its review and recommendation to the tax collector.

6.75.060 Recommendation for denial of application.

- (a) If, as a result of the investigation, the grounds for denial of a license pursuant to Section 6.08.006 are present, the sheriff shall return a copy of the application, together with a recommendation for denial, to the tax collector, who shall notify the applicant that the application has been denied.
- (b) Any person whose application has been denied shall have the right to a hearing and/or appeal as provided under Sections 6.08.170 and 6.08.180 of this title.

6.75.070 Application approval.

If, as result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the sheriff shall approve the application for the carrying on of the business applied for and send notice of the approval of the application to the tax collector, who shall issue the license.

6.75.080 Contents of issued license.

(a) Every business license for massage that is issued shall state:

(1) the name of the person, firm, association, or corporation to which it is issued,

(2) that the license is issued for a massage type business,

(3) the location of the massage business,

(4) the date of issuance,

(5) the period of time for which it is issued,

(6) the license fee received, and

(7) the expiration date.

(b) Each license issued shall also state any special restrictions or conditions that may limit the business.

(c) The business license shall be sealed by the tax collector.

(d) The issuance of any such license shall not constitute any endorsement by the board or any of the officers of the county as to the reputation or reliability of the bearer thereof or services to be rendered.

6.75.090 Expiration of license.

All licenses issued under this title shall expire as set forth in Section 6.08.030 of this title, and are renewable as set forth in Section 6.08.090.

6.75.100 Display of licenses required.

The owner or operator of a massage business shall display the massage license or licenses in a conspicuous place on the premises.

Chapter 6.80 BODY ART ESTABLISHMENTS

6.80.010 Body art establishment license required.

It is unlawful for any person or party to conduct business as a body art establishment within the unincorporated areas of the county without first obtaining a license in compliance with the provisions of this title.

This Chapter does not apply to a body art establishment that:

- (1) possesses a valid license to perform body art from another California jurisdiction;
- (2) operates for fewer than five (5) consecutive days or fifteen (15) total days per calendar year in the unincorporated areas of the County; and
- (3) has registered with the sheriff and the health officer, providing all information listed in Section 8.08.030, subparagraphs (1) – (9), prior to performing any body art in the unincorporated areas of the county and has renewed this registration annually.

6.80.020 Definitions.

As used in this chapter, the words and terms shall have the meanings ascribed to them, unless from the context a different meaning is clearly apparent. The definitions provided in this chapter are in addition to the definitions provided in Chapter 6.04.

- (1) "Body art" means tattooing, permanent cosmetics, and body piercing.
- (2) "Body art establishment," means a fixed place of business where any person engages in, conducts, or performs the business of providing body art or related services.
- (3) "Body art technician" means any person who is a practitioner of tattooing, permanent cosmetics, or body piercing to include, conducting body art procedures on another individual or technically advising the body art procedures performed by another individual.

6.80.030 Body art license – Form of application.

Subsections (1) through (10) will be completed in the presence of the tax collector, and subsections (11) through (15) will be completed by the sheriff, allowing a thirty (30) day waiting period for the investigation.

Every application for a license to conduct the business of a body art establishment required by this chapter shall be signed by the applicant and shall contain the following:

- (1) The name and mailing address of the applicant. If the applicant is a corporation, the name shall be exactly as set forth in its articles of incorporation. If the applicant is a partnership, the name and address of each general partner shall be stated. If one or more of the partners is a corporation, the provisions of this section as to a corporate applicant apply.
- (2) The names of all other persons having an interest in the enterprise;
- (3) If the applicant is a corporation, the name and mailing address of an officer who is duly authorized to accept the service of legal process;
- (4) A brief description of the nature of the business and the services to be rendered;
- (5) The place and manner in which the services are to be rendered;
- (6) The telephone number of the applicant;
- (7) The email address of the applicant;
- (8) The name under which the applicant will be doing business;
- (9) Each license application shall state that the applicant is aware that failure to require registration of each body art technician with the health officer may result in immediate suspension of the business license and subsequent revocation;

- (10) A clear photograph showing the head and shoulders of the applicant, two (2) by three (3) inches in size;
- (11) The physical description of the applicant;
- (12) Proof that the applicant is at least eighteen (18) years of age;
- (13) The fingerprints of the applicant and other evidence as will enable an investigator to properly evaluate the character and business responsibility of the applicant;
- (14) A statement as to whether or not the applicant, or any of the persons having an interest in the enterprise, has been convicted of a felony or misdemeanor, and if so, the nature of the offense and the date the sentence, penalty, or other obligation was completed;
- (15) A statement as to whether or not the applicant, or any of the persons having an interest in the enterprise, is required to register under the provisions of Section 290 of the California Penal Code.

6.80.040 Investigation.

- (a) Upon completion of such application, the original shall be submitted to the sheriff, who shall cause the investigation of the applicant's business and moral character to be made, as is deemed necessary for the protection of the public good.
- (b) The sheriff shall have an automatic thirty (30) days after receipt, of the application for review, to respond to the tax collector.
- (c) In the absence of any response from the sheriff within the time limit specified herein, the tax collector, upon presentation of the receipt from the applicant showing that the time limit has been exceeded, must assume a favorable response by the sheriff, and proceed with the processing of the license application accordingly.
- (d) In an extraordinary case, for good cause shown, the tax collector may allow the sheriff more time than is stated in this section to complete its review and recommendation to the tax collector.

6.80.050 Recommendation for denial of application.

- (a) If, as a result of the investigation, the grounds for denial of a license pursuant to Section 6.08.006 are present, the sheriff shall return a copy of the application, together with a recommendation for denial, to the tax collector, who shall notify the applicant that the application has been denied.
- (b) Any person whose application has been denied shall have the right to a hearing and/or appeal as provided under Sections 6.08.170 and 6.08.180 of this title.

6.80.060 Application approval.

If, as a result of such investigation, the character and business responsibility of the applicant are found to be satisfactory, the sheriff shall approve the application for the carrying on of the business applied for and send notice of the approval of the application to the tax collector.

6.80.070 Prerequisite to issuance.

The application for a body art establishment business license must be presented to the health officer, and the applicant must obtain a health permit, in relation to the business, as a prerequisite to the issuance of a license.

6.80.080 Contents of issued license.

- (a) Every business license for body art establishment issued shall state:
- (1) the name of the person, firm, association, or corporation to which it is issued,
 - (2) that the license is issued for a body art business,
 - (3) the location of the body art business,
 - (4) the date of issuance,
 - (5) the period of time for which it is issued,
 - (6) the license fee received, and
 - (7) the expiration date.
- (b) Each license issued shall also state any special restrictions or conditions that may limit the business.
- (c) The business license shall be sealed by the tax collector.

6.80.090 Expiration of license.

- (a) All licenses issued under this title shall expire as set forth in Section 6.08.030 of this title, and are renewable as set forth in Section 6.08.090.
- (b) All renewals of body art establishment licenses shall be conditioned upon proof of completion of annual registration with the county health officer.

6.80.100 Display of licenses required.

The owner or operator of a body art business shall display the body art establishment license in a conspicuous place on the premises.